

Global Dialogues 13

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# A Multi-disciplinary Mosaic: Reflections on Global Cooperation and Migration

Markus Böckenförde, Nadja Krupke, and  
Philipp Michaelis (eds.)

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Philipp Michaelis (eds.)

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on Global Cooperation and Migration*  
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**Käte Hamburger Kolleg/Centre for  
Global Cooperation Research  
(KKH/GCR21)**

Schifferstr. 196

47059 Duisburg, Germany

Tel.: +49 (0)203 29861-100

Fax: +49 (0)203 29861-199

E-Mail: [info@gcr21.uni-due.de](mailto:info@gcr21.uni-due.de)

[www.gcr21.org](http://www.gcr21.org)

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# Editorial

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# A Multi-disciplinary Mosaic: Reflections on Global Cooperation and Migration

Markus Böckenförde, Nadja  
Krupke, and Philipp Michaelis

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**Markus Böckenförde LL.M.** is Executive Director and Senior Researcher at the Käte Hamburger Kolleg/Centre for Global Cooperation Research and permanent Visiting Professor at the Central European University in Budapest, Hungary. Dr. Böckenförde's research focuses on constitution-building processes – from both, a substantive and procedural perspective – legal pluralism, and law and development.

When we sketched out the plan for this Global Dialogue in February 2015, and settled on a title, the notion of 'migration' had not yet acquired what has since become its predominant association with the refugee crisis. At that stage, and in the context of global cooperation, it evoked not only the idea of physical movement between geographical spaces, but a whole variety of 'flows' involving norms and concepts, knowledge, lifestyle, and financial models. Although the connotation that has recently prevailed in the public discourse is centred on the (often enforced) displacement of individuals and the different challenges resulting from this, there is still room for broader reflection on the status of global cooperation in this context.

This issue of 'Global Dialogues' brings together the reflections of a group of twenty-four scholars on the broader theme of Global Cooperation and Migration. Though they hail from four different continents and represent a wide range of disciplines, one thing these scholars have in common is time spent, in 2015, as Fellows of the Centre for Global Cooperation Research. They were asked to give a brief outline of their thoughts on the topic proposed here. Often what they write reflects an aspect of their research at the Centre. It sometimes also challenges our preconceptions about the sorts of things that can be discussed under the general rubric of 'migration' and thus enriches debates that have perhaps become rather stale. Although written independently of one another, the articles sometimes complement each other and draw differing strands together. They are therefore arranged





**Nadja Krupke** obtained a MA in Globalisation, Transnationalisation and Governance at Ruhr University Bochum. She is research assistant in the Centre's Research Unit 1 'The (Im)Possibilities of Cooperation'. Her research focus lies in the fields of development cooperation, democratisation processes and new media in Southern Africa. Her latest research analysed the influence of new digital media on previous election processes in South Africa and Zimbabwe.



**Philipp Michaelis** is research assistant to the Executive Director at the Käte Hamburger Kolleg/Centre for Global Cooperation Research and holds a Master's degree in Political Science, African Studies and English from Cologne University. His research has so far concentrated on causes for armed conflict, development assistance to as well as constitution-building in Sub-Saharan Africa.

here in groups of two or three, with the groups themselves being viewable as a single narrative.

The migration of norms, and their transmission and reception, provide the starting-point for the first three contributions. **Christian Tams** shows how UK understanding of international law was shaped by jurists whose legal cultures of origin were those of civil rather than common law. The migration involved here was physical as well as intellectual, given that the experts in question – Lassa Oppenheim, Hersch Lauterpracht, and Georg Schwarzenberg – all migrated to Britain at one time or other in their careers. **Katrin Seidel** explores the 'vernacularization' of migrating norms. Depending on the cultural understanding of a norm, its meaning adapts to the recipient context and alters accordingly – in the same way as notes produce a different kind of music when the musicians and instruments are changed. This translational phenomenon is described by **Alejandro Esguerra** using the example of development cooperation: ideas and needs of the recipient country must be articulated and translated in such a way that they tally with, and can be integrated into, the donor country's 'matrix'. This process of translation thus implies elements of 'displacement' and 'recontextualization'.

The 'entextualization' of documents and reports in multilateral negotiations comes under scrutiny from **Stefan Groth**. These documents migrate through the offices of ministers, scientists, lobbyists, and representatives of civil society as a record, in textual form, of what has gone on during negotiations. They reflect transparency, are intended to create legitimacy, and are used as the basis for decisions, analyses, and campaigns. What no longer adheres to them, however, is the particular set of performative circumstances in which they arose. The use of specific 'linguistic codes', the composition of the group in question, the presence or absence of particular observers, the mounting pressure of time – all these are lost in this kind of migration and yet would allow of a variety of conclusions with no alteration to surface text. Effectively picking up on this idea, **Heike Hennig-Schmidt** points out that, where experiments in behavioural research migrate to other regions of the world, knowledge about intercultural differences in behaviour is crucial in explaining supposed holes in one's arguments. This is a point also taken up, in a certain sense, by **Bettina Burger-Menzel** when she asks what stages a person must go through in their cognitive process if a normative appeal is to be translated into actual action on a lasting basis. She sees the motivational cycle in question as being made up of five distinct steps, different in kind from the instrumentalized conception of a *homo oeconomicus*.

The next two contributions explore the vertical migration of ideas and concepts. **Susanne Buckley-Zistel** questions the common assumption that ideas are mainly conceived and

<sup>1</sup> International Day for the Right to the Truth Concerning Gross Human Rights Violations and for the Dignity of Victims.

brokered at the so-called global level, to be applied later at the so-called local level. Citing the example of the 'Right to Truth' – which, at the behest of the United Nations, is now commemorated yearly on 24 March<sup>1</sup> – she shows how norms can also arise at local level and very quickly gain global validity. **Otto Kallscheuer's** piece looks at the slow break-up of the Catholic Church's 'pope-centric' global regime. Early reforms, in the shape of the restructuring of the Curia and Synod, are intended to enable a more robust and open exchange to take place inside the as yet enduring 'universal spiritual monarchy'.

Business models can also migrate across the global market and thus influence aspects of global cooperation. **Claudia Derichs** demonstrates this using the example of Islamic 'lifestyle products'. Fashion trends in Indonesia incorporate traditional Indonesian textile and batik crafts in the production of headscarves. Although these scarves help shape religious identity, they do not promote Arabization in what is Asia's largest Islamic state. What they do, rather, is forge a distinct style that renders a religious image feminine and is conquering the fashion world. It remains to be seen whether the headscarf will take off as a lifestyle product and find a footing in the secular world. By contrast, **Susan Erikson** focuses on the spread of a financial product in the realm of humanitarian aid. Specifically, she analyses the effects of 'Ebola bonds' in a health system such as that of Sierra Leone and assesses the prospects of being able to ensure and expand emergency care using rationales from the world of finance.

Reflection on the impact of population movements on global cooperation begin with two contributions on the theme of diaspora. **Ariane Sadjed** highlights the fact that the immigration of Iranians to Germany results in a 'co-migration' of specific images of Islam in the heads of German inhabitants. This fosters the stigmatization and marginalization of Islam and reinforces splits along religious lines. One fact overlooked here is that as a result of this process, identification with Islam as a cultural symbol becomes very difficult for many Iranians (after all, their country's theocratic regime is the very thing that made them flee). The author therefore suggests involving non-Muslim Iranians based in Germany as mediators, with a view to overcoming narrow perceptions of Islam in German society. **David Carment** questions the traditional view of 'global cooperation', in which cooperation is shaped and defined via formal (international) organizations. Instead, he stresses the importance of other forms of exchange, as demonstrated in diaspora networks. He calls for this 'hybrid form of multilateralism' to be accorded greater attention in IR research as well and to be hauled out of the 'informal' corner. Such a move, he says, would allow for a positive interpretation of the overlap between 'local' and 'global' in the longer term.

In his contribution, **Klaus Schlichte** asks what forms of cooperation have mainly resulted from the current refugee crisis. He suspects that rather than a bolstering of global cooperation in the areas of forced migration and common asylum-policy, what has occurred is a surge in joint action on international security. If this kind of cooperation develops further in the form of a global system of Bertillonage (with biometric identification, for example), this may be helpful in accelerating development towards a 'world state'. At the same time, however, this kind of globally coordinated surveillance should set alarm bells ringing. Against this background, **Felix Bethke** explores what current research has to say about the extent to which migration, the admission of refugees, and terrorism are really linked and what conclusions the EU states in particular should draw here.

The next three contributions each take a distinct look at the humanitarian/developmental connection between migration and cooperation. First, **Salvador Santino Regilme** calls for the current refugee dynamic not to be viewed in narrow terms as being triggered by the humanitarian situation inside failing states – a scenario that leaves the recipient states in Europe playing a passive role. Instead, we need to broaden our outlook on the causal links. The fact is that the global politico-economic world order continues to be strategically arranged in such a way that persons from the Western world are its prime beneficiaries and that, as a result, this world becomes a place of yearning for the globally disadvantaged. Against this background, the author also urges that those who champion Western-style universal human rights ought also to be applying them in regard to the current refugee crisis. Ultimately this requires a change of perspective on our part, so that we begin to see global migratory movements from the point of view of their human-rights dimension and the entitlements that flow from this. **Olivia Rutazibwa** encourages us to reflect on the current refugee debate against the background of the decolonization discourse. She picks up on the previous contribution, pointing out that on top of extreme material inequality, there is inequality of an immaterial kind, with market, educational, and scientific systems generating concepts, theories, and ways of thinking that reinforce and legitimize the status quo. Against this background, we need to ask ourselves the following question: can we still talk about refugees and outsiders when there is a causal connection between our own prosperity and these people's plight? Are terms such as gift, hospitality, and generosity still appropriate? Should our debates and analyses not make room for the views of the marginalized on our structures of distribution and, in line with this, should the term 'crisis', which after all implies an exceptional state of affairs of limited duration, not be removed from the discourse on migration?

Along with this must come serious engagement with the task of radically restructuring existing distribution-relations. The extent to which we remain trapped in our existing patterns is demonstrated in the piece by **Stephen Brown**, which looks at the effects of the refugee 'crisis' on development aid. OECD members are allowed to reckon the first year of costs accrued from settling refugees in their countries against their ODA (official development assistance) obligations. These sums thus no longer benefit the developing countries themselves, which means, in turn, that fewer resources are available for tackling the causes of flight in situ.

Societies undergo many different changes over time – a process that is driven by both internal and external factors. For a recipient country, migration means growth and, given that this growth needs to take place within the society in question rather than being left to unfold at its margins, integration is a migration-induced social responsibility. **Gianluca Grimalda** shows how social identities are shaped through a process of relating oneself to society. The speed with which group affiliations are forged has been demonstrated in a number of experiments. It is also known that national/ethnic affiliations tend of themselves to exert a powerful appeal. There seems to be good empirical evidence for the proposition, advanced in conflict theory, that physical proximity between different national or ethnic groups tends to strengthen affinity with one's own group rather than diluting one's sense of identity. This being so, argues the author, integration policy should not be deluded into thinking that existing social identities will be readily simply to embrace 'outgroups' without a second thought. **Manuel Borutta** and **Jan Christian Jansen** provide historical confirmation of this finding but at the same time give grounds for hope. The territorial losses that followed the Second World War resulted in 11 million displaced persons who, as 'Germans' could not now be 'sent back'. Integrating a mass of people who in some cases spoke incomprehensible dialects, engaged in alien cultural practices, and followed different religious traditions was a huge challenge. The idea that integration in that period was simple and swift is a myth. Highlighting the way in which the struggles of that time were successfully overcome can help boost our courage in tackling present-day challenges. In a shift of focus from refugees, **Elisabetta Nadalutti** compares prevailing EU and ASEAN values and principles in regard to 'everyday migrants' in their respective regions. In her view, subnational partnerships are of particular importance here (micro-regionalism). **Manjiao Chi** uses the example of China to demonstrate that internal migration also throws up huge challenges, particularly when it is accompanied by normatively generated social segregation. He begins by distinguishing different types of migration – political, for example, resulting from the relocation of Han Chinese to regions with ethnic

minorities and from the flow of people to Hong Kong, and social, caused by urbanization-movements. Working against this latter type, however, is the traditional *haji* system, under which, for example, food-points are awarded, mostly on the basis of place of birth. Because social provision is better in the cities, there is discrimination between the rural and urban populations. Particularly hard hit by this are migrant workers, who are driven to the cities by financial need but actually ought not to be there.

The final group of essays is devoted to experts, thus completing the circle begun in the first contribution with the mention of the three jurists who resettled in the UK. **Pol Bargués-Pedreny** describes three generations of migrant 'peacebuilders' since the end of the Cold War. He explores their evolving obsessions, fears and responsibilities when travelling to post-conflict zones. **Martina Kopf** discusses the multiple migrations of Western experts to Africa and contrasts these with the migratory movements in the opposite direction. Although shared features can be found at the individual, micro level, what dominates at macro level is the huge structural disparity: the 'imperial migrant' and the 'development migrant' remain within the economic systems of their places of origin or, respectively, that of the international development industry. Serving as both epilogue and obituary, the piece by **Shirin Saeidi** rounds off our survey. The author remembers the young researcher and specialist Giulio Regeni, who was beaten, tortured, and murdered whilst on a field-trip to Egypt. The personal reminiscences of shared days at Cambridge tell also of a spiritual affinity between these two scholars.

We hope these reflections by our 2015 Fellows on the theme of Global Cooperation and Migration will prove a thought-provoking and entertaining read.

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# I Norms

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# International Law: Shaped by Migration

## Christian J. Tams

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**Christian J. Tams LL M** is Professor of International Law at the University of Glasgow. His particular areas of interest are dispute settlement, investment protection, and the law of state responsibility. Professor Tams's chosen research-theme during his time as a Senior Fellow at the Centre for Global Cooperation Research was 'International Litigation as a Factor Affecting Negotiation Processes in Militarized Conflicts'. The project aimed, by analysing the growing role of international tribunals and courts in global (security) governance, to enhance understanding of the part played by international litigation during major inter-state conflicts.

Migration is one of international law's evergreen topics. It presents, above all, a major challenge that international law, and international institutions as creatures of international law, are relied on to address. As in many fields of international relations, international law is a tool used to organize the process of decision-making and to balance competing interests: among them the desire to regulate migration (e.g. by defining spheres of national competence), to ensure minimum standards for the protection of particular groups of migrants (e.g. under the 1951 Refugee Convention), to establish fora for international debate (the International Organization of Migration, the UNHCR) while recognizing a wide domestic policy space.

Quite apart from these major regulatory and institutional challenges, which dominate the debates of our days, international law is related to migration in an ideational and 'personal' manner. The point is in fact rather straightforward: today's international law is a product of migration. Based on, and meant to reflect, universal values, it depends on the migration and dissemination of ideas across borders. As a profession, international law was 'born' in the late 19<sup>th</sup> century, when small groups of liberal internationalists met to form transnational societies such as the International Law Association and the *Institut de droit international*. And finally, as a discipline shaped by domestic legal traditions, international law has greatly benefited from the migration of professionals across borders.

What follows is meant to illustrate this last aspect by introducing three giants of the discipline of international law whose life was shaped by migration: three scholars who left their home country, adapted to a new, foreign environment, and came to shape 20th century international law.

*Lassa Oppenheim* was born in 1858 in Windecken near Frankfurt/Main. He studied law in Germany and embarked on an academic career, focusing on criminal law. Struggling to obtain a chair in Germany, he moved to Basel, where he was made an ordinary professor in 1893. Two years later he radically changed tack: 'British relatives, liberal inclinations, financial independence and perhaps a propensity for the British way of life induced [Oppenheim] to leave his [Basel] job and to move to London ... without any prospects of another income' (Schmoeckel). But risky though it may have been, this emigration was an astonishing success story: within five years, Oppenheim had established himself as an authority in international law, acquired an immense collection of books (from which even Foreign Office diplomats occasionally borrowed) and obtained British citizenship. Then, in 1905/1906, he published the first edition of his textbook on *International Law*, which was a huge success and led to Oppenheim's appointment as a professor of international law at Cambridge in 1908. After 1914, Oppenheim was forced out of German international law journals (to which he had, until then, still contributed), but by then had fully adapted to the British scene. He died in 1919; but his *International Law* textbook has lived on. Praised for its clarity and systematic treatment, it was, by 1919, the most authoritative exposition of international law. Future editions, prepared by leading lawyers of the next generations (among them Hersch Lauterpacht, about whom more will be said shortly) updated it and consolidated its status – but consciously used the original author's name as a label. A century after its initial publication, 'Oppenheim's *International Law*' remains the benchmark: the 'premier modern international law treatise' and 'apotheosis of the English approach' (Reisman), it remains the most visible symbol of a successful migration.

*Hersch Lauterpacht* was born in 1897 in Zolkiew (Galicia), then part of the Austro-Hungarian Empire. He first studied at Lwow, and then moved on to Vienna, where he completed a doctorate with Hans Kelsen. In 1923, he moved to Britain, seeking new horizons and keen on leaving behind a legal scene that seemed to offer little opportunity. As in Oppenheim's case, this required a re-start, though not a change of discipline. Lauterpacht enrolled as a student at the LSE, wrote another doctorate – and like Oppenheim benefited from generous mentoring, in his case from Arnold (later Lord) McNair. McNair encouraged Lauterpacht to publish his LSE doctorate, which made his name, and steered him towards an academic career at the LSE. In 1937, Lauterpacht succeeded McNair to the Whewell Chair of International Law at Cambridge; by 1954, he would again succeed him, this time as a judge at the International Court of Justice. He died in office in 1960. Lauterpacht is seen today as probably



the greatest international lawyer of the 20th century. He was a prolific writer, preparing successive editions of Oppenheim's leading text and producing monographs of lasting relevance. His judicial opinions remain points of orientation. The central themes of Lauterpacht's approach were his vision of international law as a system of rules, and his firm belief in international law's power to be a force for good, upheld even during the 1940s, when almost his entire family was murdered in the Holocaust. Drawing on this vision, Lauterpacht placed great trust in the role of international courts as guardians of international law, helped establish the post-WW2 international military tribunals, and postulated the centrality of individual rights (well before the 'age of human rights' would set in earnest). To later generations of critically schooled scholars, his faith in international law has at times seemed naïve; but his pragmatic idealism has retained its appeal.

*Georg Schwarzenberger* was born in 1908 in Heilbronn. He studied law and completed a PhD with Carlo Schmid in Tübingen, and became an active member of the Social Democratic Party. In 1933, he narrowly escaped Nazi prosecution and eventually settled in Great Britain. Like Lauterpacht, he opted to pursue another doctorate; but his integration into the British scene was not nearly as smooth. Schwarzenberger's view of international law was much more sceptical than Lauterpacht's. Schwarzenberger embraced the work of realist international relations scholars and viewed international law as a product of power politics. This, as well as his difficult personality, made him an outsider on the British international law scene; Lauterpacht in particular became a long-standing antagonist. But over time, his 'career with complications' (Steinle) would lead Schwarzenberger to a chair at the University of London (though, notably, only after Lauterpacht's death) and to explore (then) new areas such as international economic law and air and space law. In retrospect, Schwarzenberger is regarded as a 'very unorthodox thinker, who significantly stimulated the intellectual debates on international law' (Steinle); not one to dominate the mainstream, but a writer of lasting relevance.

As is clear from these briefest of sketches, Oppenheim, Lauterpacht and Schwarzenberger had 'little in common other than their German-speaking and Jewish background' (Crawford). They emigrated for different reasons and at different times. The two of them that overlapped (Lauterpacht and Schwarzenberger) did not get on well at all. Their approaches to international law varied considerably: to Oppenheim's pragmatism, Lauterpacht added a naturalist streak, which Schwarzenberger rejected. And yet, British international law of the 20th century has proved diverse enough to accommodate all three *émigré* lawyers.

Oppenheim lives on through his textbook, now in its 9th edition and still simply referred to as 'Oppenheim'; Lauterpacht reflects international law's claim to seriousness and moral vision; while Schwarzenberger's work provides international lawyers with a constant reality check and remains a 'powerful antidote to woolly thinking' (Mendelson). While not working in concert, Oppenheim, Lauterpacht and Schwarzenberger have enriched British international law and contributed to its diversification. Their lives illustrate just how much international law benefits from migration.

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# Normative Space Production in Translation, or How to Analytically Grasp Migration of Normative Ideas

Katrin Seidel

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**Katrin Seidel** is a postdoctoral research fellow in the Department for Law and Anthropology at the Max Planck Institute for Social Anthropology in Halle. During her term as a Postdoc Fellow with the Centre, she conducted a comparative study into the 'Involvement and Impact of External Actors on Constitution-making in South Sudan and Somaliland', with a particular focus on how such involvement influences notions of cohesion, peace, statehood, and sovereignty, and the extent to which it contributes to stable governance.

As most international legal experts, consultants, and researchers can confirm, when people migrate around the globe their legal perceptions and norms travel with them through processes of contact and exchange. These dynamics take place within a universe of plurality of co-existing normative orders, generated and used by complex actor constellations, with different sources of legitimacy<sup>1</sup>. Accordingly, any analysis of migrating normative ideas has to consider that legal plurality is a universal feature of social organisation<sup>2</sup>.

**How can we analytically grasp these migration dynamics, particularly the processes when different normativities come in contact?**

One can say that the flow of legal ideas jointly create normative spaces<sup>3</sup> in processes of translation. 'Law constructs itself as a location in a social net of spaces'<sup>4</sup> and presents an arena in which the politics of spaces are negotiated. In this respect, legal pluralism can illuminate ways in which construction of space in different normative orders operate with their spatial claims for validity. The multiple legal constructions

<sup>1</sup> Benda-Beckmann, F. von, Benda-Beckmann, K. von, and Eckert, J. (2009). 'Rules of Law and Laws of Ruling: Law and Governance between Past and Future', in Franz von Benda-Beckmann, Keebet von Benda-Beckmann, and Julia Eckert (eds.), *Rules of Law and Laws of Ruling. On the Governance of Law*, Farnham: Ashgate, 1–30.

<sup>2</sup> Griffiths, John (1986). 'What is Legal Pluralism', *Journal of Legal Pluralism and Unofficial Law* 18 (24): 38; Merry, Sally Engle (1988). 'Legal Pluralism', *Law and Society* 22 (5): 871.

<sup>3</sup> 'Space' understood as social products embodying social relationships emphasizes the sphere of multiple possibilities. See Massey, Doreen (2008). *For Space*, London/Thousand Oaks/New Delhi: Sage; Lefebvre, Henri (1991). *The Production of Space*, Oxford/Cambridge, MA: Blackwell.

<sup>4</sup> Philippopoulos-Mihalopoulos, Andreas (2012). 'Law, Space, Bodies: The Emergence of Spatial Justice', in L. De Sutter and K. McGee (eds), *Deleuze and Law*, Edinburgh: Edinburgh University Press: 90; Ibid. (2015). *Spatial Justice: Body, Landscape, Atmosphere*, Abingdon: Routledge.

<sup>5</sup> Benda-Beckmann, F. von, Benda-Beckmann, K. von, and Eckert, J. (2009): 3–4.

<sup>6</sup> Pahuja, Sundhya (2013). 'Laws of Encounter: A Jurisdictional Account of International Law', *London Review of International Law* 1 (1): 69.

of space open up arenas for political authority, and of localisation of rights and obligations.<sup>5</sup> Normative spaces are navigated and patterned by specific actors and practices, and thereby continuously transformed through negotiations and regulations.

By focussing on the engagement with or differentiation of the space 'in which authority takes shape and is set in motion we will be able to better understand the manner and mode of authorization of social relations, and the technical forms, idioms and institutions' <sup>6</sup> through which something such like 'the law' is produced.

'Who is meeting whom?' and 'How they are meeting within the space?' are questions which can be asked when looking at different techniques through which rival practices of authority are claimed, exercised and realized. Attention needs to be drawn to interests, interpretations and claims of legitimacy by exploring the 'meeting' of different legal doctrines, institutions and practices re-produced and controlled in multidimensional normative spaces. Thereby, the 'meetings' of the different normative understandings themselves open up space and multiple forums for negotiating values and the space itself.

In order to avoid becoming disoriented in time and space and to explore specific spatial constellations, we can look for characteristics that appear as (at least temporary) continuities within these constellations (similarities in difference), presupposing that they are constantly subject to transformations<sup>7</sup>. Through selections from all conceivable dimensions and scales, we may extract and choose dimensions which allow for meaningful understanding of the processes that take place in a certain time-space continuum.

**How can the interfaces/intersections where global, national and local dimensions are revealed be specifically grasped? How are normative spaces made?**

When legal norms migrate from one legal system to another and interact, they not only constitute space, they are translated into other legal cultures. Generally, one has to keep in mind that translations – not only those of written documents – do not mirror the originals. Thus, all translations are influenced by the tension between the meaning of the original and the incongruent translation. Hiding this tension would amount to destroying the 'otherness', the strange meaning of the original.

Translation emphasizes the circulation of various values, norms, practices and procedures, institutional frameworks, and interpretations between and across contexts as well as scales. Since translation is the process of adjusting

the rhetoric and structure of legal interventions to local circumstances, an important part of translation is constructing a frame. Frames are ways of packaging and presenting ideas that generate shared beliefs, motivate collective action, and define strategies of action. Frames can have powerful effects on the way situations are understood and on the tactics their supporters deploy. Accordingly, we need to draw attention to those frames of references and the perceptions and ranks they have in the hierarchy of major discourses. Framing goes along with transplanting efforts. Transplants are models<sup>8</sup> adapted from one local context to another, often in unexpected ways, whereby each translation is part of a 'translation chain'<sup>9</sup>. Transplanting legal ideas, institutions or programs involves processes of appropriation<sup>10</sup> and translation. In fact, these processes together make up what S. E. Merry calls 'vernacularization'<sup>11</sup>. Thereby, on the one hand, packaged ideas such as *Human Rights* or *Rule of Law* are translated into new contexts and framed in culturally specific ways. On the other hand, they retain their underlying emphasis on certain legal notions embedded in the legal codes of the international law system.

The models are carried and negotiated by actors who move between different frames. Identifying the 'translators' and the 'technologies of governance' they help to establish, particularly their interests, performances, positionalities and the impacts allows for an analysis of power relations understood as processes of negotiation between different frames of references among actors.

Moreover, contemporary (legal) knowledge transfer seems to be highly 'scientized', i.e. supported by pre-defined modules, templates, IT-technological infrastructure (e.g. legal data bases), taxonomies or technical artefacts. Analysing the various technologies and techniques may uncover the entanglements/interrelations of law and science and technology (L-STs). We might understand better how the technologies produce new legal configurations and thereby affect law production on different scales, and what effects they have in terms of access to knowledge in light of the translation processes of the circulating models.

Subsequently, to understand the travelling modes of normative ideas and their space productions, it is necessary to shift our attention to what is happening at concrete meeting points and in arenas. Looking through the analytical lenses of translation allows for a deeper understanding of the multi-layered interactive processes of interpretation and negotiation of frames of references and meanings where local and global dimensions are interdependently constituting each other. By looking at how normative spaces are made in processes of appropriation and translation it can be better understood how grand narratives circulate

<sup>8</sup> Models can be understood as 'an analytical representations of particular aspects of reality created as apparatus of protocol for interventions to shape this reality for certain purposes' (see Rottenburg, Richard (2009). *Far-fetched Facts: A Parable of Development Aid*, London/Cambridge, MA: The MIT Press; Behrends, Andrea et al. (eds.) (2014). *Travelling Models in African Conflict Resolution*, Leiden: Brill).

<sup>9</sup> Rottenburg 2009.

<sup>10</sup> Appropriation means taking interventions, and ideas developed by activists in one setting and replicating them in another setting. Appropriation requires knowledge of approaches in other countries and, in many cases, the ability to attract funding and political support.

<sup>11</sup> Merry, S. E. (2009). 'Legal Transplants and Cultural Translation. Making Human Rights in a Vernacular', in Mark Goodale (ed.), *Human Rights: An Anthropological Reader*, Malden, MA/Oxford: Wiley-Blackwell, 265–302.

and how ideas of 'modernity', 'development', or *Rule of Law*, for example, become driving forces for all sorts of legal interventions. Through the above-mentioned analytical tools we can enter the space production where 'foreign' national and international legal norms are translated into different local legal cultures and determine better how the meanings of legal norms and local legal systems are transformed in the process.

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# Translation in Cooperation

## Alejandro Esguerra

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**Alejandro Esguerra** took up a Post-doctoral Fellowship at the Centre to conduct research on his project entitled 'The Micro-politics of Negotiating and Manufacturing Governance Innovation in the Transnational Realm'. He explored the way in which actors from diverse backgrounds 'manufacture' novel inter- and transnational governance-arrangements in sustainability politics, thereby engaging in global cooperation. Following his tenure at the Centre, Dr Esguerra joined the University of Potsdam's Research Training Group 'Wicked Problems, Contested Administrations: Knowledge, Coordination, Strategy'.

Global cooperation signifies interaction of (non-)human actors who create networks varying in density, durability, and scale. Some cooperations remain fluid, confined in spread, while others are more institutionalized and span the globe. The concept of translations explains how cooperation unfolds.<sup>1</sup>

Scholars of translation have examined how development cooperation projects migrate from donor to recipient countries: who and what makes the project move, what happens when it settles and localizes, how does it change through this movement, and what are the effects? The translational hypothesis is that we will expect change rather than mere continuity. Translation in this account is always imitation of some original ideas and practices as well as differentiation at the same time; yet, to qualify as a translation, a 'fine line of continuity' needs to be maintained (Berger 2014).

This line of inquiry can be complemented by a second line that examines how institutions are constructed, maintained and how they become legitimate authorities in world politics. What is meant by translation in this account is 'the work by bringing two (or more) things into relation with on another' (Freeman 2009: 435). Translation, in this sense, is a concept of negotiation that helps to explain how actors engage in practices of translation to establish new objects of politics as cooperation in action.

Following this second line, I have researched practices of knowledge production that are negotiated for novel institutions in the realm of global sustainability politics. Think of an anthropologist who is interested in sustainable forms of community forestry. During her field trip in Peru, she learns about new practices of community forestry. As an anthropologist, she does what anthropologists do: 'professionally hanging out' with members of the community, witnessing achievements and downsides of the community forestry project. She experiences a period of experimental research.

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<sup>1</sup> Please note that I have developed this notion of translation together with Tobias Berger. For a workshop on the topic and our forthcoming book in the *Routledge Global Cooperation Series*, see <http://www.gcr21.org/en/events/workshops/more-on-translation-in-world-politics/>.

After returning to her university in the UK, she leafs through her field diaries, sketches a first short paper, and decides on a couple of pictures. She takes her material together with a piece of wood from the project to a meeting on options for a certification project for sustainable forestry. In other words, to make the socio-ecological complexity of the community project mobile and to move it to the meeting, she engages in practices of transforming and transporting; she operates as a representative of people, nature, and novel sustainable forestry practices. It is her translational practice of reconstructing the complex reality of the community forestry project that will eventually make global cooperation possible.

Yet, to understand how the anthropologist's translational act becomes relational, we have to follow her into the meeting room to examine how cooperation is carried out. It is a diverse crowd of environmental activists, forestry scientists, concerned wood users, representatives of business associations – in short, a multi-stakeholder initiative gathers in this room. They do not agree by any means on the exact aims of this initiative, do not share a common knowledge base, and have diverging stakes. Representation is in question: who speaks by which authority for the Peruvian rainforest, for the people living in the forest, for the market, or for the concerned public?

The issues are controversial but the group knows how to negotiate. This knowledge is essentially a knowledge of translation: in order to reach a consensus, participants translate their positions from one context to another, and thus ensure movement. This entails movement from smaller working groups (the backstage) to the plenary again (front stage), from verbal to written to visualization, and from one speaker role to another. Thus, to move a position from one context into another is to displace it and, then, to recontextualize it and to make it resonate with a new context. This operation allows for a transformation through adding, substituting, deleting, reformulating, or rearranging. The important premise is that a new context co-constructs the positions and allows for a different kind of communicative work. In this process specialized roles such as chair, facilitator or procedural experts emerge. They navigate the group through this complex negotiation situation. Their translational work turns individual voices and positions into a final document or a strategy that becomes instrumental for the initiative to move forward.

Translation, after all, is a concept of migration and travel that adds to these metaphors of movement a notion of modification: If people and things migrate in space we cannot assume the stability of the objects that move, nor of the context in which they settle anew. Instead we are urged to think of uncertainty, the production of novel relations, and power struggles.



Translation makes cooperation possible, and yet, to translate is also to exclude voices by speaking on behalf of others; thus, translation always is an act of betrayal.

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# Entextualization as Migration

## Stefan Groth

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Stefan Groth took up his Post-doctoral Fellowship at the Centre having previously worked with the University of Göttingen's interdisciplinary Research Unit on Cultural Property. Dr Groth's research project at the Centre – on the theme 'Culture as Resource and Diplomacy: Between Geopolitics and Issues-based Policy' – aimed to make the construction, negotiation, definition, and legitimization of positions on cultural resources transparent at both structural and discursive levels. Following his year at the Centre and a period of research at the University of Bonn, Dr Groth is now a senior researcher at the University of Zurich's Department of Social Anthropology and Empirical Cultural Studies.

In multilateral negotiations, documents are key. Decisions, agreements, resolutions and meeting reports exist in written form, and much of their authority and binding force is derived from the permanence of documents, either on paper or in electronic form in virtual archives. There are, no doubt, many instances in multilateral or bilateral settings where arrangements to cooperate remain, for some reason or other, oral and undocumented. But documents and their ability to create a semblance of transparency, accountability, certainty, or traceability are treasured tokens of effectiveness and efficiency. Think of climate negotiations or peace talks: what is presented or what people seek to achieve at the end of drawn-out meetings or clinched deliberations comes in the form of paper, preferably signed by all parties involved. Or think of the effort that goes into the transcription and translation of oral statements delivered in negotiations to produce almost verbatim meeting reports. Such textual outcomes are then scrutinized by observers, analysed by policy experts or the media and, not least, examined by scholars who are interested in the process or content of negotiations. Indeed, the empirical material of many studies of multilateral negotiations consists mainly of documents in the form of reports, draft resolutions or other types of policy papers which are subjected to various types of 'document analysis'.

Yet, documents are textual representations of performance: they need to be produced first, and the conditions under which they are produced – the contexts of their emergence – are central factors which need to be taken into consideration when dealing with and analysing documents. What goes into documents is both the result of and subject to negotiation. Processes of negotiating and producing text are not limited

to content, but extend to performative aspects such as style, linguistic code, rhetoric, or genre. Further, these aspects can include the role of audiences present at the negotiating table. The composition of the audience matters to the ways actors talk, to their choice of words and to their formulations – even if the particular audience is not directly addressed. This can be for purposes of avoiding direct conflict, initiating cooperation by supporting statements made by other states, or by building pressure on opposing parties. Take, for example, the case of negotiations where indigenous groups are directly present as participants or observers: the linguistic registers used are likely to shift to acknowledge them as stakeholders or at least to be sensitive to normative claims voiced by these groups. In meeting reports reproducing statements and decisions of negotiations, this aspect is not necessarily visible, yet it can significantly shape discourse as well as the documents resulting from it.<sup>1</sup> Performances can further be directed at audiences not present during negotiations, such as civil society, domestic policy actors or other negotiation stakeholders. This is the case when arguments, terms or debates are primarily referred to for their potential influence on these non-present audiences and not on negotiations themselves. The functional goals of this can be to give an account of adhering to international standards, representing national interests or to make connections between different thematic issues. Directing statements at multiple audiences is one performative aspect of negotiations that can get lost when anchored speech acts are transferred to documents. Other performative aspects influencing debates can be related to the setting, time pressure, translation problems or events occurring in the context of negotiations.

All of these factors can influence the course and outcome of negotiations, yet their effects and importance are not directly conveyed in documents such as meeting reports. As performances are – as fragments of discourse – taken out of the context of their emergence, they are *entextualized*<sup>2</sup> in documents, gain mobility and are then able to migrate to other audiences or fora. While performances (such as making statements or drafting text in negotiations) are grounded in situational contexts and anchored in social situations, the process of entextualization creates documents as ‘bounded objects’<sup>3</sup> not directly linked to their performative emergence. The specific context in which they were put forth in multilateral negotiations is thus, to some extent, erased. From an analytical standpoint, such processes of entextualization and decontextualization need to be scrutinized in order to understand how documents are produced and to what extent performative aspects shape negotiations.

Yet, entextualization can also be used as a strategy in multilateral negotiations. One such strategy is to put

<sup>1</sup> Groth, Stefan (2012). *Negotiating Tradition: The Pragmatics of International Deliberations on Cultural Property*, Göttingen: Universitätsverlag Göttingen.

<sup>2</sup> Bauman, Richard, and Briggs, Charles L. (1990). ‘Poetics and Performance as Critical Perspectives on Language and Social Life’, *Annual Review of Anthropology* 19: 59–88.

<sup>3</sup> Sung-Yul Park, Joseph, and Bucholtz, Mary (2009). ‘Introduction. Public Transcripts: Entextualization and Linguistic Representation in Institutional Contexts’, *Text & Talk* 29 (5): 485–502.

fragments of discourse 'on the record'. Using certain phrases and expressions in statements can serve as a point of reference or precedence which can be referred to later or in other fora. For example, by introducing definitions of issues under negotiation, these are entextualized in meeting reports; they can then 'migrate in time' and be referred back to as precedents at subsequent stages of negotiations to bolster an argument. Or policy concepts can be outlined in statements to point to their entextualized form in other institutions or domestic contexts. As they 'migrate in space', they gain authority through their occurrence in official documents on the international stage. The significance of such processes of entextualization as migration varies. Yet being reflected in official documents – be it through definitions, through policy concepts, or just by showing up in them – in any case creates legitimacy for delegates or organizations in multilateral negotiations as they can, for instance, prove that they have represented their member state or that they take part in international debates.

When dealing with documents in multilateral negotiations, the fact that discourse as text is made separable and migrates from one context to another by processes of entextualization and decontextualization needs to be taken into account. The context of the performative emergence of documents matters, both because it has an influence on documents as outcomes of multilateral negotiations, and because it is often used strategically. Documents are not intentions and decisions rendered into text, but rather products of performance in context. Performative aspects as well as processes of entextualization – as the migration of phrases, concepts and strategies in space and time – need to be traced to gain a deeper understanding of how such documents are produced, circulated and used.

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# When Research Migrates – On Understanding Behavioural Differences across Countries

## Heike Hennig-Schmidt

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**Heike Hennig-Schmidt** has spent most of her academic career at the University of Bonn. She is involved in international research collaborations with China and Norway and holds a research position at Oslo University and a guest professorship at Sichuan University, Chengdu, China. Whilst a Fellow at the Centre, Dr Hennig-Schmidt conducted a research project entitled 'On the Nature of Fairness in Bargaining—Experimental Evidence from Germany and PR China'. This sought to present a new perspective on the nature of fairness through exploration of verbal data from team discussions and written statements relating to decisional motivation in incentivized bargaining experiments.

What came to my mind when thinking about global cooperation and migration is my own experience in doing cross-country and inter-country research on behaviour in Germany and China as well as in Germany, Israel and Palestine. We found behavioural puzzles that opened our eyes for the importance and necessity of taking possible differences between countries into account because otherwise we would not have been able to explain our findings.

Cross-country and inter-country studies are an important research field because potential differences between countries may cause frictions when their members interact with each other. When ignorant about each other's behaviour, goals and motivations, interacting partners might fail to reach a mutually satisfactory solution. Cross-country and inter-country research can help to overcome the problems but involves quite a few challenges. The reason is that results derived in other cultures/countries may appear to be inconsistent and cannot be explained by methods and models which researchers are used to in their home culture/country. An easy 'solution' to such a problem would be to dismiss the finding as people having not understood the situation or acting irrationally.

Another way of dealing with the problem is more difficult but also more promising. It involves accepting that stylized facts taken for granted in one's own culture may have no or minor significance in another. It may be necessary to change one's modes of understanding in order to capture the philosophical

and cultural backgrounds behind another culture. One has to realize that due to one's own education and experiences one may not be able to envision which specific rules apply in another culture and which kinds of behaviour are adequate and reasonable because those rules and behaviour are the consequences of culturally different education and experience. Thus, differences/peculiarities cannot be accepted as adequate for the respective culture and, therefore, not adequately dealt with. This dilemma most often results in a bias in perceiving, understanding and being willing and ready to account for existing dissimilarities.

Methodological and theoretical issues also call for comparative studies across countries/cultures. When focusing on their own environment only, researchers may not be able to imagine that behaviour in other societies/cultures differs from their own because this is not obvious to them from their own experience and education. The bias may lead them to construct decision models that neglect important explanatory variables from other parts of the world.

To overcome the above-mentioned bias it is important and necessary to be open for potential peculiarities of people with different cultural and philosophical backgrounds, to show respect and empathy and to question whether one's own perspective is universally valid. Being willing to extend one's own appreciation and comprehension is not enough, however. Cultural diversity should be substantiated and, if possible, it should be quantified. Behavioural experiments can play an important role in this respect. Different methodological approaches are used in cross-country and inter-country research like surveys, field or questionnaire studies. We decided to use financially incentivized economics experiments because this method allows the observation of behaviour in controlled, albeit simplified situations. When running such experiments one must pay attention to issues like language, currency effects, stakes, and experimenter interactions, as all of them can affect cross-cultural comparability. These effects were taken into account in our studies.

My first example of seemingly implausible behaviour is non-monotonic strategies of Chinese bargainers in an ultimatum game experiment (Hennig-Schmidt, Li, and Yang 2008). In such an experiment a proposer can decide on how to split between herself and a responder an amount of money provided by the experimenter. The responder can accept or reject the proposal. In case of acceptance, both receive the amounts as proposed; in case of rejection, both receive nothing. The ultimatum game is a stylized model of bargaining situations dealing with distributive justice: are people only interested in their own benefit or do they also care about the well-being of those with whom they interact?

We had participants in teams of three people each act as proposers and responders. Proposers discussed the offer. Responders had to discuss for each possible offer why they

wanted to reject or accept. Discussions were videotaped. The discussions made it possible to analyse the underlying motives of an astonishing phenomenon: more than half of the player groups – and individuals in later experiments as well – rejected offers much lower *but also* higher than an equal division. We did not find a similar phenomenon in the German sessions of the experiment. The main reason for rejections of advantageous offers was social concern, which was not as implausible an argument as it appeared at first sight. Subjects care about others in that they reject mutually unacceptable allocations that violate bilateral fairness, even though both players suffer if a high offer is actually rejected. As proposers also expected rejections of low and high offers, players coordinated on balanced behaviour that excluded extreme allocations. Such behaviour can be interpreted as conforming to the Chinese value of avoiding extreme behaviour and maintain interpersonal relationships so as to achieve a balance between the self and others.

A second example is an inter-country experiment on the investment game played by Israelis, Palestinians and Germans (Goerg, Hennig-Schmidt, Walkowitz, and Winter 2016). An investor can invest part or all of an endowment into an investee who can return any part of the money received to the investor. When money is invested, the experimenter triples the invested amount to simulate the gain an investment is expected to yield. We found a notable constellation of calibrated and un-calibrated beliefs. Within each country, standards exist, which investees correctly anticipate within their country. However, across countries these standards differ. Since investees attribute the standard of their own environment to the other countries, they are remarkably bad at predicting foreign investors' behaviour. The tendency to ignore this potential difference can be a source of misinterpreting motives in cross-country interaction. Foreigners might perceive behaviour as unfavourable or favourable discrimination – even though, unknown to them, investors actually treat fellow-country people and foreigners alike.

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# Environmental Politics and the Migration of Ideas and Practices – A Critical View on What Makes Humans Learn and Behaviourally Change

## Bettina Burger-Menzel

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**Bettina Burger-Menzel** is Professor of Economics at Brandenburg University of Applied Sciences, where her research focuses on competition and technology policy. The research project she conducted as a Senior Fellow at the Centre was entitled 'Lessons from Innovation Systems: Increased (Global) Cooperation Potential through the Application of Diffusion Principles'. Drawing on a previous set of findings on the cognitive self and its motivational processes, the project sought to establish what enables an individual to enhance learning and adaptation within networks and to scale up systemic change, both top down and bottom up.

A substantial part of global cooperation is based on the migration of new ideas and of practices, which are worthwhile imitating. Especially technical innovations and emerging business options drive collaborations between various stakeholders and across borders. And they affect structures and processes of production systems and value-added chains as well as management cultures, social arrangements, consumer behaviour and lifestyles.

The study of innovation systems and their corresponding techno-economic and socio-institutional paradigms can help to better understand how a new common sense is reached within economy and society, i.e. when people really start to think and behave differently. Yet, environmental systems are more challenging than innovation systems. Apart from those environmental technologies which have persuasive effects on their users through benefits like productivity increases or better health, there are many eco-behavioural choices worldwide which do not seem to inspire and mobilize people to adopt a certain change in behaviour and to maintain it until sustainability is reached.

Overall, the United Nations (2013) state in their report on 'A renewed global partnership for development' that the systemic change promoted by all multiple stakeholder

partnerships is still a poor one while anthropogenic impacts on planetary boundaries have accelerated. Against that background, the results of the 2015 Paris Climate Conference give rise to hope and scepticism at the same time. Will a new legally binding and universal agreement on climate really produce the actions needed?

Notwithstanding the importance of non-behavioural factors, there is a need to analyse the human risk factor in global cooperation with cognition as its relevant feature. Or as Thomas Schelling, 2005 Nobel Prize Laureate for game theoretical merits, puts it in his contribution to Jon Elster's book on 'The multiple self' (1986): 'The mind is a wanderer, a source of fantasy and an easy captive for puzzles, mysteries and daydreams', which turns it into '... something of an embarrassment to certain disciplines, notably economics, decision theory and others that have found the model of the rational consumer to be a powerfully productive one'.

How can eco-related ideas and practices get rooted in human motivation and foster imitation and variation across (sector) borders and diverse user groups? There is an overwhelmingly dense and rich literature on the human being, in its century-spanning traditions as well as in its interdisciplinary perspectives. Yet, the dominant discussion is either context-related but deals with motivational processes rather implicitly or it describes the individual as someone motivationally complex but lacks context-specificity. Recent advances are mostly driven by the fact that ideas like the *homo oeconomicus* produce biased views on the world and even the approach of *bounded rationality* often fails to work as explanatory guide in times of crisis. Promising interdisciplinary approaches like the *multiple self*, however, have never made it into the mainstream, which finds it difficult to deal with an individual who has emotions, weakness of will, self-deception and therefore contradictory decisions and motivational conflicts.

To find answers, I sequenced motivation through each cognitive stage which it has to pass to go from behavioural intentions to actual behaviour. Such an approach is a reminder that behavioural outcomes come with the flux of being or rather feeling (re-)motivated in favour of a new idea or practice. It also helps to let the insights from given ideas and models circulate more freely and to reinterpret them from a systemic perspective and even one which grows in complexity. As a result, there are four requirements for modern ideas and models of the human being which take human willingness, cognition and eco-sustainable adaptation into account.

First, the inner world of a human being is more one of ambivalence than one of consistent rational behaviour. There is an individual sense of bounded rationality but it is in tension with tacit and impulsively unordered rationales for action. Belief and value systems, which shape human

behaviour, undergo contextual shifts because individuals can belong to multiple identity groups at any moment in their life. The emotional structure and dynamics of a person can either support or contradict rationality when expressed in action. Thus, modern ideas of models of the human being have to acknowledge that behavioural choices also involve unconscious incubation, cognitive shortcuts and intuitive interactions.

Second, communication is extremely important because it transmits key messages and know-how during the whole process of negotiating and implementing (global) policies. The big challenge is to avoid so-called 'noise' in the communication channel, i.e. misunderstandings between sender and receiver due to (cultural) heterogeneity and/or shifting contexts (e.g. co-evolution of actors or new issue-links). Effective communication supports continuous reorganization to find the best fit between mind and environment. Modern approaches on human behaviour have to acknowledge language as an important mechanism which is able to span boundaries and build alliances in even large and dispersed groups.

Third, sustainability in change behaviour requires that learning is executed as adaptation and that both are rerun in trial-and-error processes over time, which gets the experience rooted in the long-term memory for future retrieval. During every motivational cycle humans can potentially 'opt out' at different stages, for instance through non-action (e.g. ignorance and forgetting), doubts (e.g. motivational conflicts) or some kind of stress (e.g. cognitive shortcuts such as decomposition, editing and heuristics). In order to better deal with cognitive blindspots in global cooperation, modern approaches on human behaviour have to be interdisciplinary ones and to especially integrate the 'neurobiological brain'.

Fourth, higher complexity seems to create a stronger tendency in humans to opt out of sustainable change behaviour. It also seems that science, drama or politics of guilt are less strong incentives to heal motivational circuit breaks. They might even lead to ignorance and denial. Modern approaches which focus on human behaviour in global environmental systems have to reconsider how far laboratory-based conditions (e.g. experimental game theory) match the challenges for which conclusions are made. Long-term adaptation needs methodologies, which track human behaviour as much in its totality as possible and over time (e.g. socio-economic panels combined with narrative research).

To sum up, there are cognitive features in the human being that allow transformative processes within complex systems. The clue seems to lie in matching the individual mind with the world around and in correspondingly reinterpreting the performance qualities of decision-making.

These insights have limitations. Cognitive exit points can be relevant for different people in a different way and an additional behavioural understanding of professional categories (e.g. politicians, bureaucrats, entrepreneurs, scientists, lobbyists) and of personality traits (e.g. early adopter, late adopter) certainly helps. Nevertheless, all humans are 'run' by cognition regardless of how stakeholders vary among each other. And although not all conclusions are new in content, they now derive from a different perspective on eco-sustainable change behaviour and allow relevant proposals for future research agendas and global environmental policies.

Behaviourally sound approaches have to step away from an instrumental understanding of how people function. Global cooperation and the migration of new ideas and valuable practices is more than just the birth of a promising technology, which has a clear-cut value message that only needs time to persuade all people to get 'on board'. In which case, we need to delve deeper into what makes people really willing to cooperate, to carefully listen to and act upon a message, as well as what causes cognitive stress, motivational doubts and premature cognitive closure. What are the tensions between the 'self', its self-referential complexity and those manifold pragmatic expectations that dynamically evolve in global cooperation? Do minds and a continuously changing world really fit together? Or does the mind rather escape from such challenges through strategies that are automatically or unconsciously employed, especially in environmental systems, which are full of unknowables and risk?

If so, global cooperation entails for example much more localized, robust and experimental governance. And it would need policies which complementarily shape the normative hierarchy of motivations given in any society. As a consequence, behaviourally sound approaches have to be able to support transformative processes in the present rather than to help to predict a still unknown future.

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## III Local – Global

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# Truth *en route*.

## The Migration of Norms and Ideas

### Susanne Buckley-Zistel

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**Susanne Buckley-Zistel** is Executive Director and Professor for Peace and Conflict Studies at the University of Marburg's Center for Conflict Studies. As a Senior Fellow at the Centre for Global Cooperation Research, she chose to work on the theme 'Transitional Justice as a Travelling Norm. On the Influence of Local Concepts on Global Ideas'. Turning the usual research approach in this area on its head, she focused not on the impact which global norms such as transitional justice have on 'the local' but on the effects that take place in the opposite direction. She analysed if and how Southern norms and their entrepreneurs influence the conceptualisation of Western transitional justice practitioners and scholars.

Migration happens in space. People, commodities but also norms and ideas travel from one point to another, they cross borders and boundaries, move from north to south, from east to west, and vice versa. They are *en route*.

Yet how do norms migrate, where do they come from and where do they go to? In global cooperation research, the space in which norms travel is often divided into the scalar notions of local and global, two seemingly distinct containers alleged to be in a hierarchical relationship with each other. The global, it is often contended, strongly conditions actions at the local level. But where do the scales global and local come from, and do norms and ideas only travel in one direction? Do they only migrate from the top to the bottom, from the global to the local? And can the notions of global and local be easily maintained, given all that traffic? To answer these questions it is instructive to follow an idea on its migration journey.

Take truth, for instance. The Assembly of the United Nations proclaimed 24 March as the *International Day for the Right to the Truth concerning Gross Human Rights Violations and for the Dignity of Victims*, an act of global significance for all who observe international days, but also for those who have lobbied for truth to become a global norm for many years. The date was chosen to commemorate a rather local event, the assassination of the El Salvadorian Archbishop Óscar Arnulfo Romero in 1980, in order to draw attention to the search for truth by victims of human rights abuses, their relatives and societies more generally. The Right to Truth postulates that there is a right to learn about

the whereabouts of victims, what happened to them and whether they are alive or dead. It calls upon governments to make this information public and to support all efforts to disclose past crimes, and is compatible with and linked to other recent initiatives, such as *The International Convention for the Protection of All Persons from Enforced Disappearance* (2010) and the *Basic Principles and Guidelines on the Right to a Remedy and Reparation for Victims of Gross Violations of International Human Rights Law and Serious Violations of International Humanitarian Law* (2006). In other words, it is couched in other ideas with parallel origins and intentions, rendering it an inter-norm, a norm that exists between other norms.

These resolutions and conventions did not develop in a vacuum, an empty space, though. Rather, they are the result of long struggles in countries of the Southern Cone, Argentina in particular, against the politics of amnesty and denial after the dirty wars in the 1980s. In the absence of government support, activists and kin-relations took it upon themselves to demand the opening of files and records, the launch of criminal investigations into the work of the security sector, as well as the uncovering of clandestine activities. In short, they wanted the truth.

Thanks to networks and organizations, but also committed individuals, the norm quickly migrated from the Southern Cone to human rights organizations and think tanks in New York, Washington, London, and elsewhere. Moreover, in international law the right has gained traction, significantly aiding its diffusion. The enforceable, legal basis of the Right to Truth is founded in international conventions such as the Geneva Conventions and Article 19 of the Universal Declaration of Human Rights. In the beginning, it was mainly the Inter-American Court of Human Rights which demanded that governments should uncover and acknowledge their violations, but by now the European Court of Human Rights and the Human Rights Chamber of Bosnia and Herzegovina have drawn on the norm as well.

With its arrival in international law, the Right to Truth has gained global reach, it has turned from an initially local initiative in the Southern Cone to a norm defining the work of many courts in many countries. In other words, it has travelled across continents and is still on its way. Why is it important to consider its migration?

Migration of norms suggest that norms are not universal – or global – but that they come from somewhere and are imbued with meaning that might change *en route*. It illustrates that local contexts are not simply spaces where global ideas are implemented, but rather they prompt and shape global ideas in and of themselves, or what is often referred to as the globalization of the local. The local is thus not a victim

of the global, but is entangled in a relationship in which the scales mutually constitute each other and in doing so create the seemingly bounded containers of global and local in the first place.

The spaces in which migration takes place – be it of norms, or commodities and people – thus change in the process. They do not remain what they were, but are in a constant flux. This does not only refer to their place of departure but also to their destination, requiring some level of acceptance of and openness to change.



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# Global Anchor-man and Local Church – Problems of Governance in the Catholic Church

## Otto Kallscheuer

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Otto Kallscheuer, currently Visiting Professor of Political Philosophy at the University of Sassari, Italy, joined the Centre as a Senior Fellow to conduct research on the theme 'New Regionalism? Models of Regional Integration within the Changing Geopolitical Patterns of the 21st Century'. The project aimed at a critical re-reading of regionalism, distinguishing different patterns of transnational conflict-solution, cooperation, and integration according to their regional and (post-)imperial (pre-)history.

'And if a man consider the originall of this great Ecclesiasticall Dominion, he will easily perceive, that the *Papacy*, is no other, than the *Ghost* of the deceased *Roman Empire*, sitting crowned upon the grave thereof.'  
(Thomas Hobbes 1651)

Well, the institution may be rather old, but Thomas Hobbes didn't consider CNN. Today the 'Papocentric' system of Roman Catholicism is very much in sync with the global audio-visual media. It can indeed help to focus international attention on one or two major ethical or political questions. There is still *no* 'Global public sphere', but the Catholic Church can provide not only empowerment for local activists (*Solidarność*-unionists in the Eighties in Poland; climate change activists today; charity networks for refugees, etc.), but also an international network of sustain and an internationally accessible moral language of awareness and mobilization. But it needs an anchor-man.

No wonder that this personalized system (for different reasons) didn't work with the more 'intellectual' popes of the last half century, especially with Paul VI and Benedict XVI. The latter, besides, had no plan whatsoever to change the system. Finally he understood the situation and then ... with a gracious act of high responsibility he resigned.

But the anchor-man system had worked very well with John Paul II, and it also seems to work well with the present pope, Francis. Both were outsiders, outside the sphere of influence

of the Roman *Curia*, so both were able to grasp a situation of *Kairós*: a window of opportunity, when the pope could act as a powerful 'unarmed prophet' in world politics.

- The Polish conservative revolutionary John Paul II acted successfully as a global prophet of human rights against communist dictatorship; he preached less successfully against the 'culture of death' in modern consumer capitalism, against the banalization of death in modern medicine and the reduction of abortion to a question of lifestyle.
- The Latin American populist Francisco acted successfully by orchestrating the synergy of global expert meetings<sup>1</sup> and global media mobilization to craft and promote his first major encyclical *Laudato si'*, a call for spiritual *and* ecological *conversion* in the global economy, thereby contributing to the (still limited, but real) success of the Paris Climate Summit in 2015; he preached less successfully against the lack of mercy of the global North (or West) when confronted with the various refugee crises of today, from the Tex/Mex border to the Mediterranean islands of Lampedusa or Kos.

<sup>1</sup> Even one of the KHK/GCR21 Directors is said to have participated in some of the expert meetings in the Vatican. Pope Francis hosted also a gathering of 60 city mayors (from global cities like New York or Paris to the small island city Lampedusa) to discuss climate change *and* human trafficking as consequences of ecological crisis.

The universalistic calling of the Christian message had already belonged to its origins between Hellenistic Judaism and the (restricted) religious pluralism of the Roman Empire. But the global *missio* of the early church remained limited to the *oikoumene* of the culturally Greco-Roman Empire. A really global reach was attained by Christianity only in the 20th century. And while churches in their old European heartlands at the beginnings of the 21st century are encountering serious difficulty, in the 'global South' Christians (and Catholics) constitute a continuously growing sector of the world population (parallel to a huge demographic shift from the northern to the southern hemisphere).

Unfortunately the governance structure of the global Catholic church is ill-adapted to its current tasks. Whereas the basic unit of power and authority in Roman Catholicism remains the diocese, globally the church is still governed by a kind of 'spiritual world monarchy': The Roman Bishop has the last word in all church affairs, from questions of doctrine and church discipline to the nomination of bishops, even in most local churches.<sup>2</sup> What is more: the pope has even the quasi-constitutional 'competence of competence' for decisions touching almost every possible internal conflict of the church.

<sup>2</sup> The election/designation process of bishops varies on the local or national level (depending on the concordat or treaty between the Holy See and the nation-state where it exists), involving the nuntius/ambassador or the Holy See and representatives of the local church, but the Pope has always the last word: he has to confirm the candidate. N.B.: The reform of the appointment process for bishops empowering the local diocese remains a necessary condition for any decentralizing reform of the Roman Church.

In its constitution the power structure of the Catholic Church has never been so 'Roman' as since 1870, that is: after the First Vatican Council (1869/70), which confirmed and extended centralized papal authority, in firm opposition to *all* currents of cultural and political modernity, first of all against the liberal Nation State<sup>3</sup>. It was only with the Second Vatican Council (1962/65) that the question of a more pluralistic, responsive and flexible way of governing the global church was posed again – but it has not yet been answered. That is why the flexibility and openness of the Catholic Church as a 'global player' in world politics is still very much dependent on the 'pastoral' intelligence and the 'charismatic' presence of the anchor-man: the Roman Pontiff.

<sup>3</sup> The Italian national *Risorgimento* had dismantled the old *Stato pontificio*, where the Pope had been the sovereign; the actual 'State of the City of Vatican' as result of the Lateran Pacts between the Holy See and Italy (in 1929) provides just a symbolic territory to the 'Sovereign Pontiff'.

Jorge Bergoglio, the Argentine Pope with his fresh outlook on 'Roman' routines, has put the overdue question of institutional (or constitutional) reform on the agenda again. He has pushed the Reset button for *at least two* of the decisive questions of the institutional structure of the future church:

- Synodality: Vatican II had (re)introduced, 50 years ago, the assembly of bishops from the global church;<sup>4</sup> but the synods, without public debate and without any decision-making power, did not gain any function in the governing of the global church. Francis has tried a new approach, focussing 'his' first synod on a highly controversial theme (family, marriage, divorce), giving a great deal of time to its preparation (a pre-synod in 2014; then the ordinary synod in 2015, with smaller working groups), its open debate and the possibility of public dissent.
- But: Francis must not only define the general ('pastoral' or 'doctrinal') consequences of these controversial debates; he has to define the synod (or another form of global assembly) as a permanent structure of collegiality and *communio* between the bishops; perhaps also on a regional (or continental) level.
- Curia: Vatican II had promised an institutional reform of the pontifical Curia; but until now none of the popes really tried (or succeeded) to do so. Francis has created a special commission (the "G 9": the Council of 9 Cardinals from all continents) that should design the outline of a new institutional equilibrium between a reorganized central 'government' bureaucracy in Rome and permanent structures of the national and regional church.

<sup>4</sup> Obviously this is a much older structure: it was the regular form of consultation of the Old Church.

- But: Even if constituted by declared reformers within the church, after almost two years the G9 has not produced (or published) any concrete proposal. When will Francis deliver? There is also a Kairós for institutional reforms.

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# IV Markets

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# Migration of Lifestyles: Muslim Fashion across Regions

## Claudia Derichs

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**Claudia Derichs** is Professor of Comparative Politics and International Development Studies at the University of Marburg. The research which she conducted as Senior Fellow at the Centre – on the theme ‘Knowledge Production and Global Cooperation’ – sought to identify the ‘latent determinants’ of global cooperation and non-cooperation. The empirical lens through which the topic was viewed was inter-regional cooperation between Asia and the Middle East/MENA region. The research called for a ‘de-centring’ of global knowledge production, a shift to a view that acknowledges theories from a variety of world regions rather than just using the global South as a testing-ground for ideas emanating from the North.

Migration has become a term with huge currency both in academia and in empirical reality. Since it is mostly associated with physical mobility between geographical spaces, the bulk of social science analyses targets phenomena such as domestic and foreign labour migration, forced dislocations of people, or the situation of migrants in their respective ‘host’ countries. Fewer studies look at non-physical or immaterial migration, for example the migration of concepts and ideas across time and space. Lifestyle elements migrate around the globe via nation-states’ ‘soft power’ and, as will be highlighted in the following, also in the guise of religious identity markers. A case in point to illustrate this particular phenomenon of migration is the booming commerce around Arab and Muslim fashion in other parts of the world. Narrowing the narration down further, I focus on the strikingly intense visibility of Islamic lifestyle and fashion items in the country with the world’s largest Muslim population: Indonesia. The observations made during the last decade – partly in combination with fieldwork, partly as a product of desktop studies – are by no means based on representative data collections. Nonetheless they may serve to inspire deeper thoughts about the globalization of particular identities and the creative trade emerging from this development.

Walking through Indonesian bookstores, one finds works referring to an ‘Islamic way of XYZ’ in plenty. They reach from guidebooks on Islamic parenting; fashion magazines for women wearing headscarves; cartoon-style training booklets for studying the Qur’ân and the life of the prophet; manuals

for men, women and children for praying in the mosque; tool kits to prepare for the pilgrimage to Mecca; to comic series with male or female heroes/heroines who represent the ideal Muslim/Muslima. Comics addressing children feature young Muslim *Manga* and *Anime* figures as moral role models. In the business and management section, books on Islamic leadership and management skills are frequent. Lately, women have increasingly been included into the target group, e.g. with books giving advice for Muslim women's careers in the corporate world. These books provide guidance for the managers and leaders in what is perceived as the Islamic economy.

### Religious Look is Feminine

Among the most visible religious lifestyle and fashion items in Indonesia is the headscarf for Muslim women, or *jilbab*, as it is usually referred to in Indonesian language. The commercialization of this piece of cloth has accelerated rapidly in recent decades. Not surprisingly, observers speak of 'high-end' *jilbabs* for well-to-do consumers and distinguish between different types of wearers. Followers of the *hijabers* community (*hijab* being another term for the Muslim headscarf), for instance, are known for their tasteful outfits with covered heads; the *hijabers* epitomize Indonesia's thriving Islamic fashion scene.<sup>1</sup> 'The high-end *jilbab*,' says feminist journal editor and NGO activist Dewi Candraningrum, 'has signaled a new sexual readiness, not unlike lip-gloss used to signal a girl's availability for kissing.'<sup>2</sup> Even commercial sex workers wear *jilbabs* – a phenomenon which is quite common in the Arab world but still a little unusual in Southeast Asia, where the headscarf has a rather sacred aura. In terms of style, South Korea's rise to the occasion is remarkable. 'Korean style' *jilbab* fashion ranks high and can compete with 'Paris styles' and others in an ever-increasing supply of designs and precious fabrics like Pashmina and expensive silk. The hype around Korean soap operas or *sinetron* (which form but one element of South Korea's globally spreading soft power) has added to the attractiveness of this fashion style among Indonesia's attire-conscious youth. On the supply side, designers who have never before worked for the Islamic fashion industry have joined in the lucrative market and bring up *hijab* models based on elegant traditional Javanese *batik* designs. 'The blooming of the fashion industries brings with it a vibrant economic dynamic. Indonesia is regarded the "Mecca" of Islamic fashion,' Dewi Candraningrum says.<sup>3</sup> And while the habit – or the perceived religious duty – of covering one's hair and head initially moved from the Middle East to Southeast Asia, it is no longer Moroccan or Turkish styles that

<sup>1</sup> See Hijabers Community, <http://hijaberscommunity.blogspot.de/>, accessed 28.12.2015.

<sup>2</sup> Personal communication with author, Salatiga, 1.11.2015.

<sup>3</sup> Personal communication with author, Salatiga, 1.11.2015.

dominate the *hijab* fashion, but a fusion of local *batik* and *kain ikat* (a traditional weaving pattern) styles. Both *batik* and *kain ikat* have become transformed from the code of traditional Javanese cloth to a code of Islamic fashion. Intimacy and sensuality, which are connotations inherent to female *batik* and *kain ikat* garments, are not inhibited but transferred to a new Islamic imprint. The religious look is feminine.

### Anything but Arabization

The migration of Islamic fashion items from the Middle East to Southeast Asia is far from resulting in an 'Arabization' of Indonesian Muslim lifestyles. Rather than importing or even copying from an 'Arab other', Indonesian Muslims represent their 'own self', integrating various cultural styles and merging them into a particular Indonesian style. In a similar vein to the experience of Indonesian pilgrims in Mecca,<sup>4</sup> the mutual learning about different Islamic fashion cultures has led to the reinforcement of a distinctively 'Asian' and Indonesian culture of Muslimness. The perception of an Islam of the periphery – juxtaposed to the Middle East as the centre of Islam – which dominated for a long time in Muslim Southeast Asia has become replaced by the self-confidence of forming a centre of its own – of 'making "Arab" their own', as Mirjam Lücking puts it.<sup>5</sup>

<sup>4</sup> See Lücking, Mirjam (2014), 'Making "Arab" One's Own: Muslim Pilgrimage Experiences in Central Java, Indonesia', *Internationales Asienforum* 45 (1-2): 129–52, for an analysis.

<sup>5</sup> Ibid.: 129.



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# Money Matters: Ebola Bonds and Other Migrating Models of Humanitarian Finance

Susan L. Erikson

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**Susan Erikson** is the founding director of the Global Health Affairs Program at the University of Denver's Korbel School of International Studies and is currently Associate Professor at the Faculty of Health Sciences at Simon Fraser University, where she specializes in medical anthropology. Professor Erikson's research project during her time as Senior Fellow at the Centre was entitled 'Governance Technology: Statistics as Apparatus for Global Co-operation'. Focusing in particular on Sierra Leone, it examined statistics as a global knowledge technology of power- and decision-making.

At a time when politicians and thought-leaders throughout the world wrestle with the critical tensions that exist between state and market forces, new questions arise about private investor-backed market-driven humanitarian aid. What new vulnerabilities are being introduced by market-driven aid? How are new financial instruments in humanitarianism shaping lives lived in poor countries? Global philanthropic foundations are quietly leading the way in the shift from public bilateral models of international humanitarian aid to private financial models offering shareholder return on investment. In a turn further away from redistributive, taxpayer-based donor aid, new financial instruments like the World Bank's new Pandemic Emergency Facility – including the colloquially named 'Ebola bonds' (more below) – look increasingly likely to finance future humanitarian response. The impacts of this global transition have not yet been thoroughly recognized or analyzed.

In Washington, DC, London, and Geneva, long-standing government-to-government models of global cooperation and international development assistance, imperfect as they are, are being supplanted by new forms of finance that prioritize profits for private shareholders. Some economists argue that these new forms of finance are new models of global cooperation that will benefit millions. Some venture- and philanthrocapitalists posit that these new forms are necessary to motivate wealthy individuals to fix global problems.

<sup>1</sup> Maurer, Bill (2005). *Mutual Life, Limited: Islamic Banking, Alternative Currencies, Lateral Reason*, Princeton, NJ: Princeton University Press; Rottenburg, Richard. (2009 [2002]). *Far-Fetched Facts: A Parable of Development Aid*, Trans. by Allison Brown and Tom Lampert. Cambridge, MA: The MIT Press; Verran, Helen and Michael Christie (2014), 'Postcolonial Databasing? Subverting Old Appropriations and Developing New Associations', in James Leach and Lee Wilson (eds.), *Subversion, Conversion, Development: Cross-cultural Knowledge Exchange and the Politics of Design*, Cambridge, MA: MIT Press, 57–77.

<sup>2</sup> Guyer, Jane (2004). *Marginal Gains: Monetary Transactions in Atlantic Africa*, Chicago: The University of Chicago Press; Clough, Paul (2014). *Morality and Economic Growth in Rural West Africa: A Descriptive Economics of the Common People of Hausaland*, Oxford: Berghahn Books.

<sup>3</sup> Han, Clara (2012). *Life in Debt Times of Care and Violence in Neoliberal Chile*, Berkeley: University of California Press; Graeber, David (2011). *Debt: The First 5000 Years*, Brooklyn, NY: Melville House Publishing.

<sup>4</sup> Chalfin, Brenda (2010). *Neoliberal Frontiers: An Ethnography of Sovereignty in West Africa*, Chicago, IL: The University of Chicago Press; Riles, Annelise (2011). *Collateral Knowledge: Legal Reasoning in the Global Financial Markets*, Chicago, IL: University of Chicago Press; Gupta, Akhil (2012). *Red Tape: Bureaucracy, Structural Violence, and Poverty in India*, Durham, NC: Duke University Press; Graeber, David (2015). *The Utopia of Rules: On Technology, Stupidity, and the Secret Joys of Bureaucracy*, Brooklyn, NY: Melville House Publishing.

While new forms of financing introduce new opportunities, they also introduce new vulnerabilities and risks to global publics. While government pullback and private sector growth is global, impacts are decidedly more profound for resource-poor countries because there is little regulatory mitigation of adverse societal effects.

As business economics pervades humanitarian aid endeavors, anthropologists remind that there still exist alternative meanings of valuation, acquisition, accumulation and economic meaning<sup>1</sup>, and thus possibilities for systems refinement, betterment, and change. One of the most pernicious aspects of the humanitarian turn to high finance is the way in which global financial institutions like the World Bank promote investment-stake bonds markets as *the* means for attending to funding shortfalls for multiple manner of catastrophe, as if there are no alternatives, value systems, or other options for global cooperative response. Globally, there are vastly different scales of value in indigenous currencies<sup>2</sup> and debt ideology<sup>3</sup>. Chalfin, Riles, Graeber, and Gupta all instructively advise, too, to pay attention to the values embedded in administrative forms and enacted through administrative means, which is of utmost importance in humanitarian decision-making conducted 'at a distance'<sup>4</sup>.

The increase of business activity in humanitarian domains has produced some strange bedfellows. Global philanthropic organizations are joining private patent acquisition – sometimes called patent trolling – companies to 'take on some of humanity's toughest problems through the power of invention by drawing on resources normally reserved for commercial pursuits in the developed world'<sup>5</sup>. Patent acquisition – particularly for software, technology, and health science – impacts humanitarian aid. A patent license for sole use or use only upon payment to licensee for the lifetime of the patent (generally 20 years) grants the right to exclude others from using, making, or selling the patented item. The legal right to control the use, application of, and procedural techniques for genes, pathogens, and cell lines, for example, levies powerful influence over science, discovery, and innovation. Patent acquisition companies say they are providing a service, buying up and bundling together for scientists the intellectual capital they require to create new products and knowledge. Critics beg to differ after observing that some of these companies are buying up patents to intentionally establish monopolies over particular technologies and commercial life sciences sectors, as well as intending to drive up the price for the use or purchase of patents. Another group of patent acquisition companies are simply buying up patents and then suing any group of users they can find for patent infringement without making anything more than the lawsuit itself as their primary economic labor. Federal regulation of intellectual

<sup>5</sup> <http://www.intellectualventures.com/globalgood/>

<sup>6</sup> Ravishankar, Nirmala et al. (2009). 'Financing of Global Health: Tracking Development Assistance for Health from 1990 to 2007', *Lancet* 373 (968): 2113–24.

<sup>7</sup> Murray, Christopher JL et al. (2011). 'Development Assistance for Health: Trends and Prospects', *Lancet* 378 (9785): 8–10.

<sup>8</sup> Murray, Kara et al. (2015). *Global Healthcare Private Equity Report 2015*, Boston, MA: Bain and Company, [http://www.bain.com/Images/REPORT\\_Healthcare\\_Private\\_Equity\\_Report\\_2015.pdf](http://www.bain.com/Images/REPORT_Healthcare_Private_Equity_Report_2015.pdf).

<sup>9</sup> Erikson, Susan L. (2015). 'Secrets from Whom? Following the Money in Global Health Finance', *Current Anthropology* 56 (S12).

<sup>10</sup> Lanchester, John (2014). 'Money Talks: Learning the Language of Finance', *New Yorker*, 4 August: 30–3.

property is hugely variable by country, and instruments of global profiteering are strategically moving into less regulated global spaces. In our global knowledge economy, intellectual property is among the world's most valuable financial assets; patent monopolization has consequences for intellectual property rights in communications, energy, engineering, electronics, and the life sciences – all of which shape humanitarian aid action.

What is not widely understood, even in erudite foreign policy circles, is how the new financial instruments *work*. To begin, an important distinction must be made between funding and financing. In global health, for example, several highly-cited peer-reviewed global public health articles have 'financing' in their titles. On closer examination, most track funding, that is, the money spent by domestic governments and non-profit outsiders. Ravishankar and colleagues<sup>6</sup>, for example, report on financial assistance for health from 1990–2007, with growth from US\$ 5.6 billion to US\$ 21.8 billion, respectively. Murray and colleagues<sup>7</sup> updated those numbers through 2010, to US\$ 26.9 billion in expenditure.

What remains unaccounted for is private investment in what could be fairly characterized as global health goods, services, and medicines. Globally, private equity healthcare reportedly accounts for an estimated US\$ 380 billion<sup>8</sup>. But the problem with private equity investment is that it is, well, private. Conventional global health funding can be accounted for by way of public records of tax, budget, audit, and accountability reports for any given country, project, or initiative. Funding has several publics, but finance is often conducted intentionally out of the public eye. Clandestine financial dealings are at the core of new forms of philanthropic venture capitalism in global health, for example, as I show elsewhere<sup>9</sup>. Global health investors turn increasingly, to 'dark markets', so named for their lack of transparency. Common financial terms – 'dark pools', 'private equity', 'secret sauce', 'securities', 'liquidity' – speak not only to the specialized linguistics of finance, but also to a 'reversified' lexicon<sup>10</sup> that hide meaning, even for the otherwise well-educated.

How will investors make money on Ebola? The same way they currently make money on natural disasters. Cat bonds – short for catastrophe bonds – have been around for several decades and insure events like, for example, bad weather in the Pacific islands that cause food crop and infrastructure damage. To hedge against such events, the World Bank has facilitated the development of catastrophic insurance instruments, and countries with severe weather histories have been encouraged to buy such insurance. Cat bonds are usually short term bonds of three years, with shares purchased by investors who are willing to 'hold' the chance that an insurance company will pay out claims if a natural

<sup>11</sup> Lewis, Michael (2007). 'In Nature's Casino', *The New York Times Magazine*, 26 August.

disaster like a flood or hurricane hits. Investors 'buy' the risk by buying premiums on existing policies; their policies are bundled as bonds sold to other investors. Investors make money when they hold a cat bond for a natural disaster that does not happen<sup>11</sup>. The logic goes that when many countries buy insurance protection and if those products are pooled and bundled, the risk that the insurance companies will have to pay out more than they have collected in premiums is spread out over more geographies. Extreme mortality itself has similarly been made into a trade-able commodity, one that is made into a financial instrument with monetary value. Extreme mortality bonds makes money for investors when they buy and hold the insurance risk on the chance that payouts in some geographies will not be needed.

Co-mingling financial stakes with stakes of life and death – the loss of money versus loss of life – takes the humanitarian aid into a precarious new financial order. There are multiple compositions of insurance and reinsurance; some involve arbitrage, hedge funds and derivatives, never mind that these financial instruments come with the greatest degrees of risk and the highest chance that money will be lost. This is not an exaggeration. Recent evidence shows that the bundling of insurance policies increases fiscal precarity. During the 2008 global economic crisis, one of the deepest, most detrimental fault lines in the economy was the way the mortgage insurance giant AIG (American International Group) bundled mortgage guaranty insurance policies and sold and resold them.

Applied to Ebola, the bond model aims to similarly pool and frontload money from investors willing to buy Ebola bonds. The thinking goes that the need for public multilateral funding of disease response will diminish if Ebola bonds catch on. What fades when one focuses on the instrument itself is the fact that this is gambling – literally – with stakes of life and death, which only increases the precarity of health systems in dire need of financial stability. The World Bank promotes the creation and sale of these new insurance products so that private investors, rather than nation-states, are fronting pandemic response money.

In the World Bank view, the world needs a Pandemic Emergency Facility instrument because there is no existing fast-disbursing finance mechanism. The Facility, they say, would remedy this. In this view of the outbreak, Ebola got out of hand because there was not enough money. While it is undeniably true that money is essential to any pandemic response, medical anthropologists have documented bottlenecks of many other sorts – communicative, affective, and bureaucratic – that delayed the fast and appropriate care of sick people, their familial caretakers, and health personnel. Contrary to recent and an overwhelming abundance of on-the-ground social science evidence from

<sup>12</sup> Wilkinson, Annie, and Leach, Melissa (2014). 'Briefing: Ebola – Myth, Realities, and Structural Violence', *African Affairs* 114: 1–13.  
Exemplary ethnographic research on the 2014 Ebola outbreak in West Africa was presented at a Max Planck Institute workshop in October 2015: [http://web.eth.mpg.de/data\\_export/events/4668/15\\_Web\\_Programme\\_Ebola\\_Workshop\\_151023\\_1.pdf](http://web.eth.mpg.de/data_export/events/4668/15_Web_Programme_Ebola_Workshop_151023_1.pdf).

the 2014 West African Ebola outbreak<sup>12</sup>, the World Bank nevertheless theorizes that, with this facility, money would be dispensed quickly and a pandemic managed prudently. Anthropologists have already documented at some length how pre-agreed triggers and pre-approved recipient processes are particular kinds of political bottlenecks that can slow and stall eligibilities and thus implementation, regardless of the amount of money at the ready. Money is not the only problem in an Ebola outbreak. The Facility is not the fast fix the World Bank theorizes.

The introduction of high finance mechanisms is revolutionizing the humanitarian aid industry, thus redefining value, investment, and the conditions of global public good. Good investment is no longer self-evident: value can mean improvements in peoples' lives, but increasingly it also takes up actuarial meanings of business value, as in cash value, book value, market value, or assessed value. This shift in humanitarian aid financing goes beyond private-public partnerships, corporate social responsibility, and angel investing. Many of these new financial instruments bypass democratic nation-state foreign policy directives, tax, and regulatory regimes. This shift introduces legal rights to monetary return within the humanitarian aid sector, and allows for shareholder self-interest of a new order. Attention to migrating models of humanitarian finance is urgent: the financial instruments are being developed now and mostly out of public view.

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# V Diasporas

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# Dealing with Islamophobia – The Iranian Diaspora in Germany\*

Ariane Sadjed

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**Ariane Sadjed** currently teaches at the University of Vienna, lecturing on Islamic and Western feminist movements and Muslim youth-cultures in Europe. During her time as a Post-doctoral Fellow at the Centre, she conducted research on the theme 'Iranian Jews and Baha'is in Europe: Islam, Secularization and the Formation of Religious Identity'. Using the example of three selected groups in the Iranian diaspora – Jews, Bahais, and Muslims – she looked at religious identity and community-formation against the background of global relations between the West and Islam.

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\* A detailed analysis of this topic with special reference to Iranian Baha'is and Jews in Germany is published in Carment, David, and Sadjed, Ariane (2016), *Diaspora as Agents of Global Cooperation. Global and Local Perspectives*, Basingstoke: Palgrave Macmillan.

Diaspora can be understood as a space where national boundaries and identities are transcended and hybrid as well as ambivalent forms of belonging emerge. However, a homogenization of identities is also prevalent in the diaspora – creating new borders and differentiations within the community. I argue that the current negative perception of Islam in Europe had led to the development of distinct and sometimes quite narrow repertoires for identification for Iranians in the diaspora.

In Europe, Germany and Britain are home to the largest Iranian communities (Hesse-Lehmann and Spellman 2004). The community in Germany consists of about 100–120,000 Iranians, concentrated in urban areas such as Hamburg and the *Ruhr* area.

Since the attacks on the World Trade Centre in 2001 – and especially since the rise of the Islamic State Group ISIS or *Daesh* – Islam has been increasingly associated with extremism, intolerance, and violence (Brown 2006; Cesari 2011). The open adherence to Islam has become contested and in some cases a detachment from Islamic practices can be observed in the diasporic context. An Iranian woman from a secular Muslim family, who has been living in Germany for thirteen years, describes a situation when she was celebrating the Iranian New Year – Nowruz<sup>1</sup> – at her workplace:

In order to be a Muslim you have to be very strong. I might not have the courage. It is a very bad time for Islam. Look, what the image of

<sup>1</sup> Nowruz (lit. New Day) is the first day of spring. Due to its pre-Islamic origin it is celebrated by many Iranians of different religious affiliations. The custom is to put up the Haft-Sin (Seven 'S') table, on which seven items starting with the letter 'sin' in the Perso-Arabic alphabet are placed. The Koran and the book by Hafiz are additions that are practised differently from family to family.

<sup>2</sup> A fourteenth-century Persian mystic and poet, a national symbol in Iran whose works have permeated everyday life.

<sup>3</sup> Telephone interview, 9 October 2014.

Islam is. But this has nothing to do with Islam. Previously, when someone said that, I thought to myself: 'bla, bla, bla'. But the problem is, the Iranians [in Germany] don't say it when they are religious. (...) It is nowadays very difficult to say that you are Muslim that you are religious. (...) At work I made a *Haft-Sin* table for Nowruz and also put a tiny, tiny Koran on it. What do you think what was going on then?! 'You must put a *Hafiz*<sup>2</sup> on it', they said. I said, 'if this book than the other one, too. Both books must lie on the table, that's how I grew up'.<sup>3</sup>

This passage exemplifies how even a person who is not outright religious, is bewildered at the rejection of Islamic practices by her Iranian co-workers. In this particular situation we can observe a very strong rejection of Islam – even when used as a cultural symbol – that is not uncommon among the Muslim-Iranian diaspora. This form of doctrinal secularism (Asad 2003) is a result of both home and host state policies: on the one hand there is the secularization promoted under the authoritarian Pahlavi monarchy (1925–1979) and the repugnance against the ensuing politicization and absolutization of Islam since the consolidation of the Islamic revolution. When moving to host countries such as Germany or France, on the other hand, Muslims are expected to practise a secularized form of their religion in order to be socially accepted (Shooman 2014).

Reza Gholami (2014) has pointed out how the diasporic identity of many Iranians unfolds in a way that stigmatizes or eradicates Islam exclusively – in order to fashion a desirable self. I argue that the host societies enforce this marginalization of Islam by upholding a normative context of secularism that is conceptualized in dichotomous and exclusivist terms vis-à-vis religiosity, and Islam in particular.

Against this background, it is not surprising that many Iranians strive for a separation from their country of origin. This is all the easier for non-Muslim Iranians.

Many of my Baha'i interview partners recount experiences of Germans assuming that they are Muslim. When they find out that this is not the case, they start insulting Muslims and congratulate them or express their relief that they are not one of them or immediately start badmouthing Islam. A Baha'i lady tells me that when she clarified that she was not Muslim, her acquaintance expressed utter relief, exclaiming: 'Thank God! You don't look like one anyway.' This statement points not only to symbolic markers of Muslim identity such as the *hijab* which Baha'i women do not wear, but also to differences in social class: the largest group of immigrants in Germany are the so-called guest workers (*Gastarbeiter*), rural working-class migrants who came from Turkey since the 1960s –



a very different socio-economic group from the mostly highly educated and middle-class immigrants from Iran.

## Outlook

Rigid and polarizing perceptions of Islam that gained a foothold in Europe within the last two decades have clear implications for diasporic identity formation. The Iranian diaspora – and religious minorities in particular – could be cultural mediators and agents of cooperation because they have knowledge about Islam and a repertoire of interreligious experiences that is very little known outside of Iran. When specifically asked, my interview partners recalled many interactions between members of minorities and the Muslim majority in Iran that were characterized by respect, humour, and appreciation – and not exclusively discrimination (Sadjed 2014). They have a first-hand experience of how politics in Iran aligned itself with religion over time and thus are able to differentiate more clearly between Islam and its instrumentalization by politics. But this stock of knowledge lies idle and can hardly be articulated in a context that is dominated by a discourse that renders Islam exclusively as violent, oppressive, and incapable of coming to terms with religious difference. As a result, boundaries between religions are reinforced and the potential for interreligious exchange is minimized. This development plays in the hands of the conservative fractions in Iran, who are engaged in creating a rigid form of Islam in which all interrelations with other religious traditions are erased.

In order to meet the ideal of a pluralistic society, modern societies are therefore challenged to critically assess how secularism is practiced in their societies as well as the presupposition that a 'proper' German cannot be Muslim. It is to be hoped that the social coexistence with refugees from Syria and other Middle Eastern countries who have recently come to Germany will encourage a productive dialogue about questions of 'culture', 'identity', or 'religion' rather than further polarizing an imagined 'us' against the 'others'.

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# Diasporas as Cultures of Cooperation

## David Carment

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David Carment is Professor of International Affairs at the Norman Paterson School of International Affairs, Carleton University, Canada. During his time as a Senior Fellow at the Centre he conducted research on the theme 'Diaspora and Fragile States: Assessing the Theoretical and Policy Linkages'. His aim in this project was to help achieve a more nuanced view of the complex relationship between diaspora communities and their transnational networks and to explore the extent to which diaspora processes, linkages, and relationships influence the ways in which global development policies are applied to fragile states.

We generally do not think of diaspora as cultures of cooperation in the same way we would, for example, international organizations, regimes or institutions. In today's world, these traditional forms of international cooperation face complex challenges, including major power diffusion, economic uncertainty and a loss of confidence in the norms they uphold as key elements of global governance in solving public problems. Traditional perspectives on global cooperation typically encompass understandings of governance as conducted by formal organizations in which non-state actors are viewed as more of a challenge or a hindrance to governance and cooperation than a positive contributor. Nowhere are these challenges better illustrated than in the debates about how non-state actors are thought to diffuse power and authority, which adds additional layers of complexity to governance and obscures accountability.

Why cooperation? One reason is because the growing importance of diaspora communities around the world has led to increased recognition of the positive role they play in the domestic affairs of their respective homelands and as global and regional actors, agents of change and knowledge brokers in their own right. At the same time, the term diaspora has come to connote some elements of negativity which should be rectified. The term has been increasingly used to describe asylum seekers, stateless peoples, refugees, immigrants, displaced communities, and ethnic and religious minorities at risk and in conflict. It is this simplistic distinction between positive and negative that should be unwrapped more carefully.

Diaspora most commonly refers to those born outside a host state, but may also include subsequent generations

that maintain strong ties with the country of origin. The defining quality of a diaspora is a dynamic linkage with the country of origin. These linkages may include: political lobbying; economic development, including remittances and investment; social tasks, including the promotion of the human; and cultural linkages, such as support for diaspora media and social networks. All of these activities can take place at the individual level (through family networks) or at the institutional level (through channels such as community-based or international organizations).

The idea of diaspora as cultures of cooperation raises important questions about hierarchy and authority. Namely who is responsible for and what are the implications of creating and implementing policies derived from the shared interests, problems and issues the world faces today. Diaspora provide a unique window on these problems on a global scale, whether they pertain to questions of co-habitation and inter-ethnic cooperation, interdependence, negotiating identity, state and nation building, revitalizing financial systems, rethinking citizenship, addressing horizontal inequalities, the challenge of displaced and stateless peoples, or underdevelopment and insecurity.

Indeed, the question must be asked if we are not witnessing a new hybrid form of multilateralism evidenced by the growing prominence of diaspora networks focused on addressing global problems and coordination among states. As political and economic organization becomes increasingly complex, institutions cannot keep up with the pace of changes in the international system. In such situations, diaspora have begun to fill the gap opened by the concomitant weakening of traditional forms of cooperation, for example the rise of global financial systems and the decline of the nation state. As private actors, their search for certainty and stability resonates within global governance structures looking for solutions to complex public problems.

Increasingly, diaspora have emerged as an important force in international relations, but their precise role remains more an informality within the scope of global cooperation, taken more as a given than an actor that might require or benefit from more precise rules of practice or even legal structures that allows their cooperative instinct to realize their full capacity. There are nascent mechanisms in play around the world but these are not being fully realized and gaps remains in their application.

What exactly might be the role of diaspora as cultures of cooperation? First, there is the normative claim that diasporas 'should' have a role to play; an assumption premised perhaps on a particular political perspective that sees diaspora as having common interests, being able to articulate these interests and being able and willing to act on them.

Perhaps there is some urgency to finding an answer to exactly how to channel diaspora 'energy' into creative and productive ends. It is well recorded that diaspora groups have in some instances helped finance conflict abroad and are foci of economic and political development in countries torn apart by war. The involvement may be perceived as benign or helpful such as peace-building, but it may also be destructive and counterproductive by bringing in support for struggles that are in violation of international law.

Second, there is the idea of diaspora cooperation as a nebulous process that defies generalization across groups. There is some truth to this when it comes to understanding how diaspora function in an interconnected world. It is well established that transnational and informal knowledge and financial networks established by diaspora groups play a significant role in influencing trade, development and diplomatic policy. But we know very little about the size of these networks, their degree of influence or how fast they are growing.

Third and finally, there is the rise in prominence of transnational identities. This is an interesting idea since many diaspora do not 'belong to' any one particular state and some do not even have their 'own' state. Diaspora are transnational actors whose loyalties, values, interests and connections form a nascent network of collaborative behaviour made salient under certain conditions. Diaspora embody cooperation not only among themselves but between themselves and the state. For example, the idea of diaspora as victims of a historical wrong touches upon a number of important aspects of cooperation – namely the interdependence between state and diaspora, the convergence of a diaspora narrative around a single idea of victimization and the role of historical narrative and memory in building group solidarity. In assessing these three perspectives of diaspora mobilization, we can describe different forms of global cooperation where we witness an intersection between the global and the local.

In relation to migration and cooperation we know that the presence of large diaspora groups in a host state do influence trade and investment agreements, policy preferences and migrant flows with the homeland. For example the presence of a diaspora community can enhance bilateral trade and investment through networks, personal connections, knowledge translation and provide insights into the operations and culture of the foreign market. Other forms of cooperation come in the form of simultaneously contributing to host state economic activity and support to the transformation of homeland economies.

There are benefits to both the home and host state. Diaspora economic activity acts as both a 'pull and push factor' for potential migrations and investments, so while bilateral

trade increases skilled worker migration to specific countries by enhancing information about labour market conditions, those same diaspora will be more likely to purchase goods from their homeland. This is because diaspora are able to overcome information asymmetries through shared language and culture, making them less risk-averse to market conditions in the homeland. Local knowledge matters. Diaspora reduce transaction costs of trade and investment with home countries by creating social networks with fellow countrymen. These networks can both deter opportunism and contract violation through community enforcement, and reduce communication barriers to facilitate the transaction.

In summary, diaspora cooperation comes at many levels but it is the intersection between the local and the global that offers the most promise from a policy perspective. Positive and effective diaspora engagement depends on the existence of sound government policy designed to enable and encourage diaspora cooperation. Initiatives aimed at developing relationships between home countries, host countries, and diaspora communities should be supported.

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This piece draws on the work of Ariane Sadjed and David Carment in their edited volume *Diaspora as Cultures of Cooperation: Local and Global Perspectives* (Palgrave MacMillan 2016). The author would like to thank the Käte Hamburger Kolleg/Centre for Global Cooperation Research for its support in this research. A workshop report capturing the main themes can be found here: <http://www.gcr21.org/events/inhouseguests/more-on-diaspora-as-agents-of-global-cooperation/>.

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# VI Conflict

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# Forced Migration and Global Bertillonage

## Klaus Schlichte

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**Klaus Schlichte** is Professor of Political Science at the University of Bremen's Institute for Intercultural and International Studies. The research project which he conducted whilst a Senior Fellow at the Centre was entitled 'Uganda's Budget: On the Internationalization of Rule'. This took the form of a case-study designed to elucidate the way in which state budgets in many countries are shaped not only by the home government but by external actors as well. This study should help to bring a number of themes and theses of the discipline of International Relations down to the ground, questioning if we see global governance at work or just a game of interests.

Can forced migration and the politics of asylum teach us anything about international cooperation? In our times the answer seems to be a clear 'nothing new': even within the European Union, governments seem to shy away from cooperation on asylum politics. Although multilateral treaties like the Geneva Convention of 1951 have been signed, cooperation is apparently hard to achieve and harmonization of legal regulation seems impossible. The result is 'a life in between' for millions of people who were forced to migrate and do not know what their legal status is or will be.

In a longer historical perspective, though, the disadvantages and – perhaps – blessings of distinctive legal spaces are less clearly delimited. The history of asylum in ancient Greece, for example, was related to a practice by which those seeking refuge from persecution would look for a nearby altar. The sacredness of the place could then serve as protection against profane regulations of revenge. While there is no direct genealogy of the modern politics of asylum out of this pre-Hellenic practice, the general idea of asylum has remained the same: safety for those persecuted is granted by a transition from one legal realm into another. The first interesting lesson here is that legal boundaries are not necessarily and in all regards something that should be overcome.

The history and the politics of asylum might speak against too much cooperation between states, even though states more often than not impede movements of people.<sup>1</sup> Human history is a history of movements, and it was only the invention of the modern nation-state that created a particularly strong hurdle against such movements. The logic of modern state governmentality is based on the ideas of sovereignty, territory and population. It has led to a regime of control



<sup>1</sup> From a burgeoning literature only three titles should be mentioned here: Noiriél, Gérard (1991), *La tyrannie du national. Le droit d'asile en Europe*, Paris: Calmann-Lévy; Haddad, Emma (2009), *The Refugee in International Society*, Cambridge UP; Misselwitz, Margarete, and Schlichte, Klaus (eds.) (2010), *Politik der Unentschiedenheit. Die internationale Politik und ihr Umgang mit Kriegsflüchtlingen*, Bielefeld: transcript.

both of persons and of space along borders. This 'statization' (*Verstaatlichung*) of the world, the factual process of state formation now encompasses everybody on the globe.

The advantage of this development is clear: the emergence of citizenship is primarily an achievement in the form of individual entitlements. The flipside of this coin is the political closure that goes hand in hand with the globalization of this form. People become legal single persons, subjected to a global governmentality that rests on the ideas of sovereignty, territory and population. Moving people are turned into 'problems' as legal structures create differences in their status. Being a foreigner becomes a problem not only in terms of social integration, but of not having political rights, or any legal status.

Not being any citizen then was a real problem. Hannah Arendt and many other stateless citizens have reflected upon the status of stateless people in the world. What it means is already depicted in B. Traven's famous novel 'The Death Ship' from 1926 on a stateless sailor in an unregulated ship on the open sea. That the right to have rights is undeniable was the great idea that came out of this experience.

For states, statelessness is less problematic than granting rights to an unknown number of fleeing people. They prefer a technology of identification and keeping things in limbo. In the current 'refugee crisis' not only state agencies at border points but also the UNHCR is active in assigning bureaucratically readable representations of people who do not yet have an 'ID'. This recent boom of identification is not new: Over the last decades we have witnessed the emergence of an elaborated passport and visa system and the creation of unchecked data masses that circulate in unknown spheres. The sometimes apocalyptic fears in Western middle classes that their 'privacy' might be violated by 'big data' concern perhaps a smaller problem in this development.

International cooperation on 'security through identification' might have much more dramatic political consequences. An alleged trio of threats – organized crime, transnational terrorism and state failure – has led to an accelerated move towards security cooperation between states that had been unimaginable in earlier decades. It would be absurd to deny the phenomena these expressions refer to. But to perceive them as 'global threats' is rather an effect of institutional interest in state security apparatuses and in the insurance business, as well as collective arousal. In its current development, it creates another globalization, that of 'bertillonage', i.e. the technology of turning everyone into biometrically identifiable subjects of a global risk management by globally cooperating security agencies. Is this global panopticon a step towards a world state? If so, we have reasons to worry. For both Immanuel Kant and Hannah Arendt

the world state was a dystopia. Kant feared it as a 'soulless despotism', and Hannah Arendt argued that if the world state became anti-Semitic, she could flee only to the moon.

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# Migration of Terrorism

## Felix S. Bethke

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**Felix S. Bethke** is currently a researcher on the 'Nonviolent Resistance and Democratic Consolidation' project at the Institute of Political Science, University of Duisburg-Essen. The project conducted by Dr Bethke during his Postdoctoral Fellowship at the Centre focused on 'Perceptions of Conflict and Cooperation'. Using a specially developed survey-tool, it garnered the views of experts as to whether they regarded specific events in international politics (the granting of foreign aid, for example, or the application of economic sanctions) as conflictive or cooperative, with the ultimate aim of determining whether perception of such events was homogenous or variable.

The current humanitarian crises due to violent conflicts in Syria, Iraq, and other countries in the Middle East have led to an increase in global refugee movement. Although the main burden is typically assumed by those countries neighbouring the conflict regions, hundreds of thousands of people have also fled to Europe. The refugee influx has sparked a heated discussion among the European Union (EU) nations over what response is necessary to mitigate the crisis. Beside the urgency to find a 'European solution', the political debate about the consequences of the refugee influx for host countries essentially focuses on economic and security challenges. Whereas the discussion about the economic consequences of hosting refugees is somewhat inconclusive, policymakers and pundits tend to agree on the security challenges. Fuelled by large-scale terrorist attacks in Paris in November 2015 and Belgium in March 2016, there is a general consensus that the refugee influx increases the risk of terrorist attacks in the host countries. At the beginning of 2016, Nato commander Philip Breedlove claimed that refugees from the Middle East and north Africa are 'masking the movement' of terrorists and that Islamic State (IS) terror group is 'spreading like a cancer' among refugees. Accordingly, he predicts more terrorist attacks in European states in the future (Yuhás 2016). Similarly, the head of Germany's domestic security agency, Hans-Georg Maaßen, reported that his agency is receiving hundreds of warnings that IS terrorists enter Germany by hiding among the refugees (Zeit Online 2016). Related statements of fear that terrorist are concealing their movement among refugees and intend to develop terror networks within migrant communities were made by policymakers all over Europe. To evaluate these arguments about the security challenges that host countries of refugees face, this piece summarizes and critically discusses existing research on how migration,

hosting refugees and terrorism are related. Building on this discussion, I advance ideas on how EU countries may handle the current situation.

Existing research addresses the relationship between migration, hosting refugees and terrorism in different ways. Choi and Salehyan (2013) analysed how the number of registered refugees in a country is related to the number of events of terrorism in that country. They find that, on average, countries that host many refugees have a higher probability of experiencing both domestic and international terrorism. Milton, Spencer and Findley (2013) tested if hosting refugees from a specific country increases the likelihood of a terrorist attack by individuals from that country. Their findings suggest that refugee flows increase the likelihood of transnational terrorist attacks in host countries. Finally, Bove and Böhmelt (2016) study the long term effect of migrant inflow on terrorism. Their results show that while migrant inflow in general impedes terrorism, migration from terror-prone states, i.e. states that themselves experienced terrorist attacks in the past, increases the risk of terrorist attacks in host countries. To explain these findings scholars mainly focus on three mechanisms, namely (1) conflict spillover, (2) radicalization of refugees, and (3) right-wing extremism. First, refugees seeking protection in neighbouring countries may cause a conflict to spill across borders with terrorist groups attacking refugee camps in order to weaken and punish their rivals. Second, bad conditions in camps may foster the radicalization of refugees, making it easier for terrorist organizations to recruit from these camps. Similarly, discrimination and poor treatment of refugees in host states may also foster extremist attitudes among them. Focusing on the long-term perspective, migration may be instrumental for the development of transnational terrorist networks that are crucial for the planning and execution of terrorist attacks. Third, refugees often become the target of radical right-wing extremism, which may lead to acts of domestic terrorism, e.g. attacks on refugee camps and accommodation centres. Given the characteristics of the current refugee crisis, these findings should cause alarm bells to ring, as they seem to support the warnings articulated by policy-makers and pundits on the connection between refugees and terrorism. European countries are hosting hundreds of thousands of refugees, which mostly come from Syria, one of the most terror-prone countries in the world.

However, the findings of comparative studies cannot simply be transferred to the current refugee crisis. The results depend on datasets that do not include terrorist activity during recent years, when transnational terrorism gained momentum. Moreover, due to the aggregated form of the data used in these studies, we generally know little about

the circumstances of how refugees were related to a specific incidence of terrorism. None of the mechanisms described above was analysed directly. These studies rely on country-year data for their empirical analysis, which means they use data on the yearly number of refugees or migration flows and the yearly incidences of terrorism events within states. Thus, we do not know whether the correlation between refugees and terrorism is driven by events of spillover, radicalization, right-wing extremism or some other unknown mechanism. However, conducting systematic empirical studies to analyse these mechanisms directly is also problematic, because experimental research on this topics is both difficult to implement and not feasible for ethical reasons. Nevertheless, these mechanisms may be evaluated based on micro-level observational data and the plausibility of fit to the current situation.

The mechanism of conflict spillover is obviously less relevant for EU countries than for neighbouring states of current conflict regions such as Lebanon, Turkey, and Jordan. Most of the news coverage and the policy debate focus on refugees entering the European continent, ignoring those that remain in Syria's or Iraq's neighbourhood. However, neighbouring countries like Lebanon and Jordan, while having the highest per capita ratios of refugees worldwide, struggle to provide the necessary human and financial resources to effectively manage the refugee influx. This could mean that the positive correlation between refugees and terrorism is caused by the fact that those countries that host the most refugees at the same time lack the necessary capacity to deter attacks on camps and recruiting from refugee camps by terrorist organizations.

At the same time, the mechanism of radicalization is highly relevant for EU countries hosting refugees. Research on the causes of terrorist attacks points to failed social integration policies as the crucial factor explaining radicalization of migrants in host countries. Thus, exclusion of and discrimination against refugees lead to extremism, which in turn fosters incentives to engage in terrorist activity. Belgium can be seen as an example of how exclusion of migrants from education and the labour market fuelled extremism. Verwimp (2015) highlights that among EU countries Belgium has the biggest employment gap between nationals and migrants. At the same time, Belgium provides the highest number of foreign fighters in Syria and Iraq per million inhabitants (i.e. citizens that left Belgium to join the IS) among EU countries. His analysis reveals that the gap in youth-employment between nationals and migrants is correlated with the number of fighters. A similar argument can be made regarding the relationship between discrimination of migrants in the education system and extremism.

Finally, the mechanism of right-wing extremism causing terrorist attacks is also relevant for the current European refugee crisis. As the recent regional elections in France and Germany indicate, the refugee crises amplified a swing to the right among established parties in Europe, while also facilitating the rise of right-wing populist parties (e.g. Front National and Alternative für Deutschland). Across Europe the radical rejection of hosting refugees rapidly gained electoral support. This attitude also expressed itself in violence against refugees. Major European host countries such as Germany or Sweden experienced a rise in attacks on refugee homes. Furthermore, NGOs report human rights violations against refugees in those countries in Eastern Europe that are severely affected by the crisis, i.e. Serbia, Macedonia and Hungary.

Taking this critical discussion of existing research on migration and terrorism into account, the following recommendations can be formulated. The most obvious solution to the crisis is to advance diplomatic and military efforts to settle internal conflicts in Syria and Iraq. However, due to the complex nature of these conflicts, such efforts failed in the past with no signs of improvement of the situation in the near future. Therefore, I focus below on measures that European States may take independently of the settlement of these conflicts. First, I argue that governments across Europe should invest billions of euros in programs that integrate those refugees that have already arrived into their education systems and labour markets. Since it will take years until these programs take effect, urgent action is required. Such policy falls under what Aisha Ahmad (2015) calls a strategy of compassion, which is essentially a nonviolent way to 'fight' the terrorism of the IS. According to her, the refugee movement is actually hurting IS, because the organization depends on tax income and human resources. In contrast, sealed EU borders, discrimination, and exclusion of those refugees that have already arrived plays into the hands of IS as it confirms the narrative of a war between Islam and the West and thereby impedes additional flight away from the terrorist group's territory. Second, governments across Europe should invest billions of euros in capacity-building of states neighbouring conflict- and terror-prone regions. The conditions in these countries will continue to be of crucial importance for handling current and future refugee crises. Besides bilateral forms of cooperation in capacity building, global cooperation is needed to strengthen emergency preparedness and response capacity of the United Nations High Commissioner for Refugees.

Of course, both of these policy recommendations contain political trade-offs. To adequately address the radicalism of refugees, taxes need to be raised and social tensions will increase, which in turn will further exaggerate the rise of radical right-wing parties. Additionally, capacity-building in

neighbouring states of conflict regions requires cooperation with authoritarian governments who despise the human rights and civil liberties of their own population. However, I believe these problems and trade-offs have to be accepted, since they are not as serious as a lost generation of young men becoming radicalized.

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## VII Humanitarian

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# Global Migration as a Human Rights Issue: Prospects for Global Cooperation or Conflict?

Salvador Santino F. Regilme Jr.

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**Salvador Santino F. Regilme Jr** is an Assistant Professor of International Relations at the Institute for History within the Faculty of Humanities of the University of Leiden, Netherlands. During his Postdoctoral Fellowship at the Centre, he conducted research on the theme 'Human Rights in the Age of Terror: How Transnational Factors Impact Norm Compliance in the Global South'. This study attempted to identify new theoretical approaches that might help elucidate the relationship between foreign aid and compliance with human rights norms in recipient countries.

Every year, millions of people move over very extensive geographical distances, with the aim of temporarily or permanently residing in their new destinations. At the transnational level, this migration phenomenon can be seen in various instances: Mexicans who are crossing the border to the United States; the global Filipino diaspora who are constantly seeking for better economic opportunities anywhere outside the Philippine archipelago; the thousands of refugees trying to move to Europe from conflict-ridden countries in the Middle East; and many North Koreans who are trying to escape totalitarian rule for a better life elsewhere, among many other examples. Notably, the United Nations Office of the High Commissioner for Human Rights estimates that there are around 232 million people who are residing in territories outside their country of origin. As such, can we fully understand such transnational phenomenon in purely economic or political terms, specifically, peoples from financially poor or politically oppressed societies trying to build a relatively better life in destinations that are supposedly deemed much safer?

In this short essay, I argue that our canonical understanding of global human migration has *to go beyond* the simplistic but an apparently very popular view: that migration is a problem caused by failed or failing states (or factors emanating from within their territories) that are unable to provide political stability and just economic opportunities for its

citizens. By implication, such a simplistic view assumes that 'receiving states', or states that are the intended or actual destinations of migrants, take a passive role (or none at all) in assuming responsibilities for the welfare of the migrants. Such perspective is misguided; instead, we need to construe the issue of global human migration as an issue of universal human rights. If we accept that the right to life of every human individual is paramount and *almost* unconditional whenever possible, then it seems necessary that the individual state is not the sole and end guarantor of such rights. As the political theorist Kieran Oberman argues, countries that are the usual recipients of migrants have to discard 'economistic arguments' and instead 'embrace a human rights-oriented view'. Such a view is consistent with Bohman's conception of 'transnational democracy', particularly relating to the claim that the derivative idea of the appropriate addressee of human rights is not the state, but the 'transnational', broadly conceived – the global publics, institutions, and states.

Such insights are not trivial; indeed, they raise several pertinent but compelling questions that are often discarded in mainstream discussion of global migration: if the original state of migrants is logistically unable to guarantee their rights, but destination states can, should we compel destination states, which are often the rich Western states, to provide such guarantees? If so, should destination states treat their newly arrived migrants in ways that are qualitatively similar to the way in which they treat their own citizens? In other words, should the rights of migrants be nominally the same with the rights of citizens in destination countries? More concretely, for instance, are European governments morally compelled to treat newly arrived refugees from Syria and economic migrants from Africa nominally the same – particularly in terms of the state's human rights guarantees – as they would treat their own European citizens?

These are extremely important questions of contemporary public morality, but more often than not, they are sadly reduced to *mere* instrumentalist questions of economic value or the ability of migrants to integrate in their destination countries. Even worse, some European political elites and citizens even 'welcome' refugees, migrants, and asylum-seekers *only* because of their potential economic value amidst the worsening ageing working population of many European countries. Should we just reduce these important questions of public policy of migration into *mere* questions of *economics*? Sadly, even some Germans claim that their country is proud to aspire to 'multiculturalism' only to the extent that foreigners, or more precisely the *Ausländer*, residing in their country have to speak German, to think like a German, and to act like a German. Is this another form of imperializing practices or a very subtle but totalizing form of colonial and cultural control? Is it

not the case that multiculturalism is all about mutual respect of the value of co-existence of radically different cultures even in the context of the idealized nation-state? Perhaps we have to start considering multiculturalism in a way that we celebrate radical cultural differences within a given territory in mutual respect. If such respect is normatively necessary, then migrant-receiving states have to start considering public policies that foster various forms of *differences* within its territory, *instead of imposing uniformity* – couched in the language of ‘integration’ – on migrants, refugees, minorities, etc.

Considering transnational migrants who tend to gravitate towards rich Western countries, we tend to forget that public policy debate over such issues is not only a question of economics, or about the potential economic output of migrants; not only a question of culture, or about the ability of migrants to adapt to their new cultural environments, and by implication also the adjustment of citizens to the influx of such migrants; not only a question of power, that is the latent fear of citizens in destination countries that migrants will soon ‘take over’. Indeed, some, if not many, of these citizens need to realize that the economic prosperity of rich Europe and the rest of the West has persistently been facilitated by the continued exploitation of the Global South – ranging from the cheap labour of Apple products to the luxurious Parisian or Milanese fashion labels. If a German or European worker can take more than a month of paid annual leave, then why not an ordinary Bangladeshi worker, who has continued to be exploited in sweatshop textile factories that are always pressured to manufacture high-end clothes that Europeans wear only for one season? Is this only a problem of states in the Global South, or perhaps can we also think how rich Western states have strategically designed the global political economy in ways that structurally advantages their own Western citizens? Shall we blame the poor Bangladeshi worker for even aspiring to trespass borders and to reach Europe for a better economic life?

To conclude, global migration is also a question of morality; that is, it is about what we *should* do, or what we *ought* to do as human beings facing difficult questions of public policies. By having the courage to face issues of what is right or wrong, we are more likely to craft global and domestic public policies on migration in ways that are more just, effective, and inclusive. By emphasizing the *humanity* that binds the migrant and the citizen with each other *as well as celebrating their differences*, we are able to emphasize inclusion – and not exclusion – and in doing so, we are truly able to say that our policies are one step further towards justice. One prominent and necessary component of such reflective thinking is by framing global migration as a human rights issue – and not

only as an issue of economics, cultural integration, or political control. Emphasizing genuine respect of differences and framing migration as a human rights issue are the only ways in which various states and individuals alike can truly *cooperate* with each other towards a just and sustainable global society.

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# Migration and the Need to Decolonize (Hegemonic Thought)

## Olivia Rutazibwa

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**Olivia Rutazibwa** lectures in international development and European studies at the University of Portsmouth in the UK. Dr Rutazibwa's Postdoctoral Fellowship research project at the Centre was entitled 'Agaciro, Black Power and Autonomous Recovery. A Decolonial Study of Sovereignty and Self-determination'. The project explored the meanings and possibilities of self-determination and agency in a context of Western-led ethical foreign policies and international relations, as embodied in the debates around Responsibility to Protect (R2P).

Looking at the world from and in Europe today, the old continent seems to be grappling with its waning capacity to control its interaction with the rest of the planet. Bodies, ideas, capital, violence and a climate on the move, forcefully knock on the Fortress' walls from the outside and within.

How are we to understand this beyond the fear-mongering tropes engulfing our public debates? *Panta rhei*<sup>1</sup>: everything flows. Yet, *sub sole nihil novum*<sup>2</sup>: there is nothing new under the sun. In all their simplicity and complexity, these two seemingly contradictory insights attributed respectively to Greek and Judeo-Christian – dixit European – traditions, probably best capture how we are to understand contemporary planetary challenges.

Concretely, I would argue that we need to understand them both as the chickens coming home to roost<sup>3</sup> as well as urgent invitations to come up with radically new ways of being, acting and thinking with the other sentient beings next door and far away. Efforts towards genuine *glocal* cooperation need to take both the reckoning and invitation seriously.

In the short run, our systems of (western hegemonic) knowledge production seem to operate as roadblocks against both recognizing and accepting the reckoning and invitations for what they are: wake-up calls for creative reinvention – very much like Fortress Europe's (im)material borders standing in the way of peoples' access to shelter, safety and the construction of a better life.

Having Malcolm X's roosting chickens of reckoning join Fanon's call to the wretched of the earth<sup>4</sup> not to mimic Europe

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<sup>1</sup> Attributed to the philosopher Heraclitus in Plato's *Cratylus*.

<sup>2</sup> Ecclesiastes 1: 9.

<sup>3</sup> Malcolm X used this expression on the occasion of the assassination of John F. Kennedy in 1963 to convey his conviction it had been a consequence of the climate of hate in the American society to that date. <https://youtu.be/SzuOOshpddM?t=54>

<sup>4</sup> Fanon, F. ([1961] 2001). *The Wretched of the Earth*, Conclusion, London: Penguin Classics, 251–5. 'Let us waste no time in sterile litanies and nauseating mimicry. (...) So, my brothers, how is it that we do not understand that we have better things to do than to follow that same Europe? (...) We today can do everything, so long as we do not imitate Europe, so long as we are not obsessed by the desire to catch up with Europe (...) Let us combine our muscles and our brains in a new direction. Let us try to create the whole man, whom Europe has been incapable of bringing to triumphant birth.'

<sup>5</sup> The three strategies are presented here as distinct for analytical purposes to cover respectively ontological, epistemological and normative aspects of knowledge production. Yet, in actual fact they are rather indivisible and co-constitutive in the decolonial endeavour to switch from knowledge production to what Robbie Shilliam has referred to as knowledge cultivation. Shilliam, R. (2015). *The Black Pacific: Anti-Colonial Struggles and Oceanic Connections*, London: Bloomsbury Academic.

<sup>6</sup> <https://www.youtube.com/watch?v=P84tN0z4jqM>

but to radically reinvent, the time has come for Europe to humbly join this conversation.

It is in this context, both within the western and non-western scholarly and activist circles, that we see renewed calls for decolonization, decades after the end of formal colonization. Contemporary decolonization refers to structures of extreme power inequality, both materially (cf. access to land and resources) and immaterially (i.e. hegemonic knowledge production systems in education and the media, at the service of the status quo).

Building on personal reflections on two recent current affairs debates in Europe, the refugee situation and the economic crisis, the aim of this commentary is to briefly introduce the decolonial option with regard to knowledge production in a western context and make it more tangible by framing it as three strategies: the need to (1) *de-mythologize*, (2) *de-silence*, and (3) *anti-colonially de-colonize*.<sup>5</sup>

#### EU Parliament, plenary session, July 2015<sup>6</sup>

The EU hardly ever stands for exciting news coverage, but a fuming Guy Verhofstadt (EMP) chastising the Greek Prime Minister Tsipras in front of the European Parliament was hard to ignore. Verhofstadt performed a fiery recital of the neoliberal dogma – not as if it were one of the many political options on the ideological menu but as a T.I.N.A., a 'There Is No Alternative' mantra, coated in a thick sauce of arrogance and know-it-all paternalism.

As a scholar of EU-Africa relations, I could not help having a *déjà vu* moment. The – literally – deadly Structural Adjustment Programmes (SAPs) enforced on most of the Global South in the 1980s led citizens of several African countries in the 1990s to take to the streets *en masse* demanding more democracy. Today the World Bank and the IMF agree that the SAPs may have been poorly implemented, yet fundamentally questioning their premises – e.g. all hail to growth and privatization – remains taboo. The African democracy protests have, if at all, entered the history books as pleas for Western-style liberal market democracy rather than an indignation at the devastating effects of the SAPs on people's everyday life. Equally silenced is the fact that protesters were actually asking for more political economic self-determination, from both national and international elites. By limiting ourselves to a Eurocentric understanding of the 'Greek' crisis (*mythology*), not valuing non-European experiences as legitimate sources of expert knowledge (*silencing*), we are able to cast the situation as novel and exceptional, and uncritically reproduce past neoliberal mistakes with minimal democratic consultation and participation (coloniality).

Members of the European International Studies Association gathered in the washed up Sicilian sea town of Giardini Naxos to ponder 'International Relations and Violence'.

(To avoid the 'fresh-off-the-boat' refugee treatment, I travelled in high heels, a strategy I picked up from decades of European (including Schengen) 'are-her-papers-for-real' border treatment for people of colour.) The participants were acutely aware that holding a conference on the southern border of Fortress Europe put them too close for comfort to an actual site of international violence. Weeks before the conference, people were discussing ways to help the refugees: a petition, systematically raising the issues in the sessions, wearing a black ribbon as a sign of solidarity, ...?

As these things go, in life and in academia in particular, there is no activism without cynics and critics. Alongside the *mainstream cynics*, who resent the collective guilt-trip inflicted on them, there were the *cynics-in-solidarity*, for whom a focus on guilt and responsibility is justified but not sufficient. To them, if we fail to tell the story from the beginning (e.g. the colonial practices that gave birth to current-day global conflicts), and broaden the scope of the analysis beyond issues of shelter (by e.g. including questions of interventions, occupations, arms trade, but also borders and nation-states as given), then our actions are nothing more than catering to our own conscience.

Eventually a consensus was reached that it is not an 'either or' situation. In practice, a sustained more comprehensive analysis does not prevent us from heading to Calais, opening our home to refugees, or demanding refugee accommodation and scholarships from our universities. Academically though, we need to take the implications of our alternative understandings of reality seriously. Are we still dealing with refugees and migrants, i.e. outsiders, when we start telling the story from the beginning? If our societies have been connected for over centuries, and if there is a direct correlation between the origin of our wealth and their misery, can we then still frame our debates in terms of gift, hospitality and generosity? (*de-mythologizing*) Are we even dealing with a crisis? If we, like Robbie Shilliam did during the conference debate on refugees, look at Europe from the position of the systematically disenfranchised (*de-silencing*), the 'crisis' is rather a reflection of the norm, a norm that day in day out systematically pushes people to the bottom of the society and keeps them there. Understanding the situation as a crisis, and thus exceptional, prevents us then from imagining and finding sustainable and radically different solutions (*anti-colonially de-colonizing*).

Herein lies the added value of a decolonial approach to the study of contemporary challenges: the understanding that there is nothing new under the sun; that we are not condemned to making the same mistakes, if only we are willing to look beyond the presently known. In practice it comes down to asking the following questions: 'How does a post-Eurocentric, de-fragmented understanding of reality change the story' (de-mythologize); 'Who is not around the expert table' (de-silence), and 'where do we go from here to materially change the status quo towards more equity' (de-colonize)?

Answers to these questions need by definition to be reached inclusively and context-specifically – not in the abstract. Depending on one's positionality in the colonial matrix of power, decolonization has different implications in practice. Rather than a grand new theory, it ought to be approached as an option<sup>7</sup>, a set of strategies explicitly aimed at a radical shift in the distribution and use of power at the service of equity. Addressing the structural power inequality embedded in our knowledge production practices is then a necessary, even though not sufficient part of the struggle towards decoloniality.

<sup>7</sup> I am indebted to decoloniality scholar Rolando Vazquez for pointing out this difference during a keynote speech on Decoloniality during a study day on the cultural and arts sector in the Koninklijke Vlaamse Schouwburg (KVS) in Brussels, 3 December 2015. <http://www.demos.be/city-of-cultures-revisited>



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# Migration as a Threat to Foreign Aid

## Stephen Brown

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**Stephen Brown** is Professor of Political Science at the University of Ottawa's School of Political Studies and is also affiliated to the University's School of International Development and Global Studies. Reflecting his experience in foreign aid and development policy, his research as a Senior Fellow at the Centre focused on cooperation among donor countries. His project 'Global Cooperation and Development Policy Coherence' explored (in)consistencies in approaches to development and the hierarchies into which particular policies fall.

The current migration 'crisis' poses a threat to foreign aid. I do not mean that the refugees and asylum seekers themselves are dangerous, but rather how Western governments respond to the crisis is already having a negative impact on foreign aid, one that will worsen significantly in the coming years. In short, donors are using the crisis as a justification for hijacking funds meant for development assistance abroad and spending them at home. Because Europe is accepting far more refugees than other donor countries and is also home to the most generous aid donors, the menace is gravest there.

Citizens of donor countries commonly challenge the wisdom of spending large amounts of money abroad when needs are great at home – especially at times of crisis. For instance, periodically, when the United Kingdom experiences significant flooding, British voices – including some right-wing media and Conservative members of parliament – call for aid money to be redirected to domestic humanitarian assistance and flood defences (*Daily Mail* 2105; McCann et al. 2015). Normally such demands are to no avail, including since the UK aid budget is legally set at 0.7% of gross national income, the UN target set in 1970.

The way Western countries report their aid spending creates a perverse incentive, however, to use aid at home in response to the migration crisis. According to a quirk in the rules set at the Organisation for Economic Co-operation and Development (OECD), donor governments can include in their calculations of 'official development assistance' (ODA) spending the cost of refugee resettlement during their first year in the donor country, including housing, language training and social benefits, even though none of this money goes to developing countries.

Generally, the percentage of aid spent on refugees in OECD donor countries is relatively low. Between 2010 and 2014, refugee resettlement represented 4% of total ODA (calculated from OECD 2015: Table 14). The current refugee crisis has the potential of affecting ODA flows in two ways. First, the increased spending on refugee resettlement will artificially inflate ODA numbers, making donors seem more generous in their aid to development countries than they actually are. This could help some inch closer to or reach the 0.7% target, without actually increasing spending overseas. The second scenario is more insidious: cutting the funds allocated to overseas assistance and spending them on refugees at home, while keeping up the appearance of maintaining foreign aid levels. In other words, donor countries can axe aid programs to poor people in developing countries without it showing up in the overall ODA statistics.

The latter scenario is by no means cynical speculation; the process has already begun. Already, several of Europe's most generous countries are cutting their development cooperation budget and reallocating funds to refugee resettlement at home. The Netherlands and Norway are explicitly slashing hundreds of millions of dollars from overseas aid to pay for refugees at home. Denmark might spend one third of its ODA on refugee resettlement in 2016 and Sweden as much as 60% (Fejerskov and Keijzer 2015). The impact on their actual development cooperation programs and partners will be devastating.

Some smaller donors, such as Bulgaria, Poland and Luxembourg, have stated that they will not include refugee costs when they report their ODA figures (Deen 2015), a noble decision. Most countries, though, will continue to do so. As in the case of new initiatives to fund climate change adaptation in development countries, each new announcement poses the risk that the money will be taken from existing programs, rather than constituting supplementary funding.

The focus on refugee resettlement in Western countries also detracts attention from the 11 million refugees and internally displaced persons in the Middle East and almost 60 million more in other conflict-affected regions. Currently, about 86% of refugees are living in developing countries (UNHCR 2015). Their needs are vastly under-served and their living conditions – especially those confined to camps – could deteriorate further if the coming cuts to aid programs affect humanitarian assistance, which they probably will.

Resettling refugees in donor countries is an important activity. However, counting that spending as foreign aid should never have been allowed, as it does not actually seek 'the promotion of the economic development and welfare of developing countries as its main objective', which is the core requirement for aid to constitute ODA (OECD n.d.).

Rather than expand the eligibility of such expenses to cover the first three years of a refugee's resettlement in the donor country, as some countries are currently advocating (Fejerskov and Keijzer 2015), it would be far more beneficial for development assistance to stop counting it as ODA altogether. That will help decouple the migration crisis in donor countries from the short- and long-term needs of developing countries, and help defend both humanitarian assistance and development cooperation from donor countries eager to raid the aid budget's piggy bank. Moreover, protecting foreign aid budgets – especially when paired with other proactive measures – should also help prevent future large-scale displacement of populations.

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# VIII Integration

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# Where does my Ingroup End?

## A Social Psychology Perspective on Migration and Social Cohesion

### Gianluca Grimalda

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**Gianluca Grimalda** is currently engaged in research at the Institute for the World Economy in Kiel and also holds a lectureship at Universitat Jaume I, Castelló de la Plana, Spain. Dr Grimalda's research project during his Fellowship at the Centre was an 'Experimental Analysis of the Behavioural Foundations of Global Cooperation', in which global cooperation and its failures were examined from the perspective of experimental economics. He studied the interaction between individual behaviour and socio-economic structures. The topics he has analysed include globalisation, inter-personal cooperation and trust.

The recent wave of migration from Middle East war-torn countries to Europe has reopened the debate on the regulation of migration flows as well as on integration policies. Migration is a defining aspect of the ongoing process of globalisation. According to the United Nations (2015), the stock of international migrants in 2015 was 243 million people, which equals 3.3% of the total world population. Migration is on the rise. In the year 2000, this same number was 173 million, i.e. 2.8% of the world population. Refugees are only a minor portion of this group. At the end of 2008, around 15 million people were recognised as international refugees<sup>1</sup> (UNCHR 2009), which corresponds to 7% of the total migrant population (United Nations 2009).

Most countries are based on some notions of a 'social contract', detailing the obligations that some social groups – particularly the most affluent strata – owe to others. The social contract regulates redistribution of income and the provision of initial opportunities. Central to the social contract is of course the notion of citizenship. Incorporating migrants into citizenship, with immediate access to rights and services, can be justified on the basis of migrants being in need, and the consequent moral obligation to help them. An alternative justification is economic rationality, as migrants are normally willing to provide labour at lower wages than the indigenous population, thus lowering production costs and boosting a country's competitiveness. Recent policy proposals prescribe

<sup>1</sup> This of course excludes refugees who have been displaced within their own country.

that migrants' access to the benefits of citizenship should be conditional on his or her stay in the country for a minimum number of years. A notion of reciprocity underlies this policy. Individuals must be seen as having contributed to the general welfare of a certain country before being entitled to receive beneficial treatment from that country.

Migration is nonetheless able to affect a country's 'social contract' at a deeper level than the political, philosophical, or economic ones. Migration flows may radically change natives' social identity and consequently their relationship with the social contract. Social identity has been defined as '*a person's sense of self derived from perceived membership in social groups*' (Chen and Li 2009). After decades of research on social identity, social psychologists use the notions of 'ingroups' and 'outgroups' to model how people construct their self in relationship with the society (Brewer 1999). Ingroups are, simply stated, the collectives with which people experience attachment and identification, while outgroups are all remaining groups or the residual group formed by all of those not belonging to the ingroup. Clearly, most people will have more than one relevant ingroup. Many people will identify with their nation, with their gender, with their occupation, or even with their football team. The overlap of these groups may create new identities. Nonetheless, in many situations only one group is truly relevant, hence the simple ingroup/outgroup dichotomy still applies. Experimental laboratory research shows that attachment to an ingroup can be created in a surprisingly easy fashion (Tajfel and Turner 1979). Purely meaningless procedural aspects of laboratory experiments, such as drawing a red card or a black card, suffice to create preferential treatment towards people belonging to the same red-card or black-card group. Experiencing attachment to a group, in whatever way this has been created, seems to be a primary attribute of the human psyche.

Although some political scientists argue that all national identities are to some extent created 'from above' by political leaders (Gellner 1982), it goes without saying that national and ethnic identities are some of the most common source of ingroup attachment. Some anthropologists go as far as talking about an 'ethnic psychology' (Henrich and Henrich 2007), to define the tendency to treat more favourably members of one's own ethnic group compared with how outgroup members are treated.

Different implications can be drawn on how migration impacts individuals' identities. Broadly speaking, these can be traced back to two long-standing traditions in the social sciences (Putnam 2007). According to 'conflict theory' (Blalock 1967), physical proximity between different ethnic groups creates even greater attachment and trust towards one's own ingroup as well as distrust towards the outgroup. Conversely,

'contact theory' (Allport 1954) predicts that repeated interactions between the two groups progressively, under appropriate conditions, reduce the antagonism between such groups and dilutes ingroup/outgroup tensions.

After decades of empirical research, the general consensus seems in favour of conflict theory (Putnam 2007). This has important social and economic ramifications in a broad variety of contexts (see Putnam 2007 for a comprehensive review). Increased heterogeneity in age, professional background, ethnicity or other factors is associated with lower group cohesion and satisfaction in workgroups (e.g. Jackson 1991). Greater ethnic heterogeneity both within a country and within local areas seems to lead to both reduced social trust and lower and less efficient provision of a broad range of public goods (e.g. Alesina et al. 1999). Ethnic diversity has also been linked with reduced economic growth, which can explain a substantial part of African countries' economic stagnation (Easterly and Levine 1997). Ethnic diversity has also been blamed for lower levels of solidarity and country-level redistribution (Luttmer 2001). Particularly in the US, racial tensions and race-based stereotypes are deemed as creating a significant under-development of the federal redistribution system (Gilens 1999). The reason is that sizeable portions of the white rich majority willingly refuse to benefit the black minority through the redistribution system. Some scholars predict a rolling back of the welfare state in Europe, too, as the European society becomes more ethnically diverse (Alesina and Glaeser 2004). Moreover, the perception that some categories of citizens receive unfair treatment may generate diffidence in the whole social contract (Fong et al. 2005). This is particularly relevant for migrants, as they may be seen as reaping the benefits of the welfare state without having adequately contributed to it.

The considerations above may lead to the pessimistic view that migration from ethnically diverse groups will undermine social cohesion and reduce the prospects of economic growth. Such a gloomy perspective is nonetheless unwarranted. Social identity can change and has changed dramatically over time. Putnam (2007) notes how aspects that were considered crucial in defining one's social identity in the 1950s in the US, such as a person's Christian religious affiliation, have today almost completely lost relevance as sources of social demarcations. Indubitably, race, too, has become much less of an issue than it was in the past for the US. Limiting migration may also run against *long-term* economic interests. Ottaviano and Peri (2005; 2012) argue that migrants enrich the set of entrepreneurial skills upon which a community can rely upon, thus bringing about an economic dividend in the long-run. As mentioned above, migration can have positive economic outcome even in the short run, although some categories of

native workers, particularly unskilled ones, may have their conditions worsened.

Overall, these considerations highlight how the management of migration demands great political acumen. Insights from social psychology can account for the fact that the first *immediate* reaction by many native citizens faced with migration may be a retrenchment into parochial loyalties, a rise in ingroup/outgroup antagonism, and a loss of social cohesion and solidarity. Constructing migration policy on the optimistic view that humans' social identity is naturally accepting of outgroups and thus of migrants may prove to be a disastrous mistake. Such 'ethnic psychology' provides fertile ground for the spread of populist political movements (Glaeser 2005), which may further foster parochialism and ethnic antagonism. Nevertheless, social identity can be restructured and, even if the 'contact theory' has not proved to be successful in specific moments of time, this should not lead us to neglect the fact that it is in contemporary societies' long-term interests, as well as part of their moral obligations, to become more open towards migrants and their integration. Acceptance of migrants and their inclusion in the social fabric requires time and the development of both appropriate educational programmes and narratives. 'American identity', observes Charles Hirschman, 'is rooted not in nationhood but rather in the welcoming of strangers', as embodied in the Statue of Liberty (Hirschman 2005: 595). One may perhaps doubt whether this is unambiguously the case for the US society which, at the time of writing, is bracing up to the 2016 presidential elections among strong use of ingroup/outgroup divisive language. It is the task of enlightened policy makers as well as of civil society to make Hirschmann's view a feasible political goal rather than a utopian view, in the US as well as in any other country.

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# Forgotten Multi-Culturalism: The Integration of *Vertriebene* in Postwar Germany\*

Manuel Borutta and Jan C. Jansen

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**Manuel Borutta** is Junior Professor of Mediterranean History at the Ruhr University Bochum. The theme of Professor Borutta's research during his time as a Fellow at the Centre was 'Mediterranean Entanglements: France and Algeria between Colonization and Decolonization'. This project explored the Mediterranean dimension of French involvement in Algeria and sought to improve understanding of the specific role played by southern France in the colonization and decolonization processes.

Between 1944 and 1950, Germany witnessed an emigration movement of unprecedented scale and type. Military defeat and the loss of significant parts of the national territory pushed more than twelve million refugees (*Flüchtlinge*) and expellees (*Vertriebene*) from Middle and Eastern Europe towards the West. While several hundred thousand people died or disappeared during their flight or expulsion, almost eight million ended up in the Western occupation zones (mainly in the British and American sectors), which became the territory of the Federal Republic of Germany (FRG) in 1949, constituting roughly a fifth of the population. More than four million arrived in the Soviet Occupation Zone (SBZ) making up a quarter of the inhabitants of the future German Democratic Republic (GDR). The largest number (seven million) came from Eastern territories of the German Empire (1871–1945) which had belonged to Prussia since the eighteenth century. The second-largest group (three million) came from border regions of Czechoslovakia (the Sudetenland, including parts of Bohemia, Moravia, and Silesia), where Germans had been settling since the Middle Ages.

The expulsion of the Germans was one of the largest instance of 'ethnic cleansing' in world history.<sup>1</sup> It has to be seen against the background of Nazi policies in Central and Eastern Europe between 1938 and 1944. The 'General Plan for the East' had envisioned the eastward extension of the German border by a thousand kilometres, the resettlement of this huge area



**Jan C. Jansen** is research fellow at the German Historical Institute in Washington DC. His main research interests concern the comparative history of the European colonial empires and decolonization with a particular focus on North Africa, the Mediterranean, and the Atlantic World. He is currently engaged in a research project on cross-border sociability in the Atlantic World during the age of revolutions (circa 1770s–1850s).

\* In this snapshot, we sum up some outcomes of a collective volume: Borutta, Manuel, and Jansen, Jan C. (eds.) (2016). *Vertriebene and Pieds-Noirs in Postwar Germany and France: Comparative Perspectives*, Basingstoke.

<sup>1</sup> For a comparative perspective, see Schwartz, Michael (2013). *Ethnische 'Säuberungen' in der Moderne. Globale Wechselwirkungen nationalistischer und rassistischer Gewaltpolitik im 19. und 20. Jahrhundert*, Munich; Ther, Philipp (2014). *The Dark Side of Nation-States. Ethnic Cleansing in Modern Europe*, New York.

<sup>2</sup> On this, see Douglas, R.M. (2012). *Orderly and humane. The Expulsion of the Germans after the Second World War*, New Haven.

by 'ethnic Germans' (*Volksdeutsche*), and the enslavement, removal and/or elimination of its 31 million 'Slavic' inhabitants. Yet even after the collapse of the Nazi empire, the creation of ethnically homogeneous states through mass resettlements and population transfers was still internationally sanctioned as a way to build stable societies and an enduring postwar order. In the Potsdam Conference of 1945, the leading Allied Powers (the UK, USA, and USSR) therefore agreed on the 'orderly and humane' expulsions of Germans from Poland, Czechoslovakia and Hungary – something which can be considered as a rather negative example of 'global cooperation'.<sup>2</sup>

The demographic influx from former national provinces and imperial borderlands posed serious financial, logistical, and administrative challenges for postwar Germany. Many immigrants arrived with nothing more than their personal items. Since their homelands ceased to belong to Germany, they could not be sent back, and it soon became clear that the state had to take care of their most immediate needs and also provide for their long-term socio-economic integration. Yet in 1945, large parts of Germany lay in ruins. Due to wartime destruction and the number of other relocated, displaced, or repatriated persons and refugees (eight to ten million), an integrated receiving society barely existed; locals and immigrants had to rebuild one together. Since many of the refugees and expellees had lived far away from the core regions of postwar Germany – speaking unfamiliar dialects and practising different cultural and religious traditions – they were perceived as culturally different, if not inferior, and were rejected by many of their fellow citizens.<sup>3</sup> Yet they were considered as 'German', provided with full citizenship (even if they had not been *Reichsbürger*) and assisted with effective institutional help and vast financial support.

The emerging Cold War constituted an important international backdrop to this process.<sup>4</sup> The immigrants were split up between two antagonistic political and ideological systems. The governments of East and West Germany competed with regard to which of the two did more for them. Allied occupation strongly influenced the way the integration was carried out. While the Allied powers and the GDR wished to 'assimilate' the immigrants as quickly and thoroughly as possible, the FRG developed a different policy of 'incorporation' (*Eingliederung*) with the intention of combining the necessities of economic integration with the political wish to preserve the cultural peculiarities of the expellees and to promise them a right to return to their 'homeland' (*Heimatrecht*). While the GDR already recognized the Oder-Neisse line in 1950, the FRG only did so twenty years later. This was partly due to the international political context: while the GDR needed to show consideration for its Eastern European partners, the Western Bloc had an interest in raising pressure

<sup>3</sup> Schulze, Rainer (1997). 'Growing Discontent: Relations between Native and Refugee Populations in a Rural District in West Germany after the Second World War', in Robert G. Moeller (ed.), *West Germany under Construction: Politics, Society and Culture in the Adenauer Era*, Ann Arbor, 53–72; Kossert, Andreas (2008). *Kalte Heimat. Die Geschichte der Vertriebenen nach 1945*, Munich.

<sup>4</sup> Kaelble, Hartmut (2011). *Kalter Krieg und Wohlfahrtsstaat: Europa 1945–1989*, Munich.

<sup>5</sup> Lüttinger, Paul (1989). *Integration der Vertriebenen: Eine empirische Analyse*, Frankfurt am Main; Bauer, Thomas, Braun, Sebastian, and Kvasnick, Michael (2013). 'The Economic Integration of Forced Migrants: Evidence for Post-War Germany', *The Economic Journal* 123 (571): 998–1024.

<sup>6</sup> On public debates as to what extent the fate of today's refugees is comparable to the expellees, see 'Beleidigung der Vertriebenen', 28 August 2015, <http://www.sueddeutsche.de/medien/umstrittene-ausserung-von-joachim-herrmann-beleidigung-der-vertriebenen-1.2625337>, accessed 26 February 2016. Before these recent debates, Armin Laschet, former integration minister in North Rhine-Westphalia, had already used the history of the expellees as an argument for his migration and integration policy, characterizing West Germany after 1945 as an immigration society, see Laschet, Armin (2009). *Die Aufsteigerrepublik: Zuwanderung als Chance*, Cologne. On the concept of multi-culturalism, see Heins, Volker (2013). *Der Skandal der Vielfalt: Geschichte und Konzepte des Multikulturalismus*, Frankfurt am Main.

on the Communist regimes. Under the premise that the process of integration and assimilation had been completed, the GDR stopped its social policy for the 'resettlers' by the mid-1950s. By contrast, the Equalization of Burdens Act (*Lastenausgleichsgesetz*) in the FRG initiated the greatest redistribution of wealth a German state had ever undertaken before reunification, inducing payments in the amount of DM145.3 billion to the expellees between 1952 and 2001. The socio-economic integration of expellees in West Germany was soon depicted as a 'miracle' (*Integrationswunder*). It became an essential part of the West German *Wirtschaftswunder* myth and a crucial element of Western Cold War propaganda.

Yet despite an enormous financial effort, full economic integration only materialized slowly: with huge regional disparities, unemployment rates among expellees and repatriates remained significantly higher until the late 1960s.<sup>5</sup> Myths of easy and fast integration have obscured how conflicted and protracted this process actually was. Fictions of national unity and ethnic homogeneity have disguised the cultural differences that the immigrants brought to postwar Germany, which were further augmented by concomitant or subsequent immigrants who were not considered as a part of the nation. After their successful integration, the cultural and religious diversity refugees and expellees had brought in faded into the background and was no longer seen as a quintessential feature of a society essentially shaped by immigration. Postwar Germany's forced multi-culturalism was forgotten as well. This is one of the reasons why the country still grapples with the challenges of being a major destination for immigrants today.<sup>6</sup>

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# Why is it Important that the EU and ASEAN Adopt an Ethical Approach to Trans-border Economic Activities?

## Some Reflections

Elisabetta Nadalutti

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**Elisabetta Nadalutti** is a Fellow of the Freiburg Institute for Advanced Studies. During her Postdoctoral Fellowship at the Centre, Dr Nadalutti conducted a comparative study of cross-border regionalism focused on the EU and ASEAN. The study looked in particular at subregional integration-processes, attempting to throw light on these through an analysis of governance at the micro level. Her research attempted to infuse regional integration theories with ethical considerations from the notion of 'obligation' as conceptualized by the philosopher S. Weil.

Generally theories of citizenship that focus on the impact of immigration on societies do not take into account the human or emotional element of immigration politics. This article focuses on borders, which are closely linked to immigration issues (which can be related to workings commuters as well as migrants who try to escape from wars, poverty, lack of opportunities in their countries and so on), since they are the first geographical, social, political and cultural barrier migrants need to overcome when they leave their own country. Thus, due to the importance of borders and their linkages to immigration, the aim of the present analysis is to clarify why it is not only important to develop good trans-border cooperation in order to deal with these issues, but also, why an ethical approach to trans-border activities is vital. This article will focus on two different geographical areas: Europe and Southeast Asia.

While European borders were often the result of wars, and EU borders were perceived as 'scars of history' that cut through Europe's historical landscapes with their regions and ethnic groups, Southeast Asian states did not experience similar wars with their neighbours. Nevertheless, sub-regional border cooperation is nowadays perceived as a tool for boosting and strengthening integration, both in the EU and ASEAN.

Moreover, it is through the efficient management of trans-border cooperation activities that is possible to deal better with some important immigration issues such as crime and security, but it could also be linked to micro-immigration processes such as those of working commuters who need to cross borders regularly for work-related reasons.

In their official documents the EU Commission and the ASEAN Secretariat explicitly refer to 'norms' (i.e. ethical values) that are needed to promote 'good governance' and which are prerequisites for democracy to flourish. I would suggest that these norms are part of a 'regional ethical code' promoted by the EU and ASEAN in order to achieve internal cohesion, as will be shown below. Conversely, to my knowledge, neither the EU nor ASEAN refer to a 'trans-border ethics' that focuses on a *formalized* 'ethical code' that should be implemented and systematically be followed in sub-regional cooperation activities, and therefore put the human being at the core of trans-border policies. Generally, the Union recognizes in particular nine principles in the Lisbon Treaty (2007) that are 'the principles which have inspired the Union's own creation, development and enlargement, and which it (the Union) seeks to advance in the wider world: democracy, the rule of law, the universality and indivisibility of human rights and fundamental freedoms, respect for human dignity, the principles of equality and solidarity, and respect for the principles of the United Nations Charter and international law'. It is clear that these principles should be guaranteed to everybody, despite their nationality. Therefore, immigrants are the beneficiaries of these principles as well.

It is informally recognized that although ethical issues such as good governance, transparency and accountability in public administration are somehow tackled in sub-regional cooperation activities, however they are not the topic politicians most want to deal with. They prefer to focus on 'productivity, competitiveness and security'. In other words on the economic dimension of cooperation.

This contrasts with official documents' expectations related to the outcomes of sub-regional border activities. Indeed, documents such as the Green Paper on territorial cohesion officially presented by the Commission in 2008, the AEBR Position Paper published in 2009, the European Charter for Border and Cross-Border Regions (2011), the wide consultation of European local and regional authorities on 'A New Strategy for Sustainable Growth. The Lisbon Strategy after 2010' that was launched by the Committee of the Regions (the EU 2020 Strategy), identified the capacity to bring *all* citizens closer together, sharing ideas across borders and finding solutions to shared problems as the main (added) values of European cooperation (AEBR 2009; Invest in EU 2013). This also includes

migrants (I refer here to regular migrants), who need to be integrated into the 'life of the border'.

This promise to boost a more integrated, equal and cohesive society through sub-regional border cooperation activities clearly corresponds to the necessity to work for the 'common good'. In other words, it could be 'ethically' stated that sub-regional border cooperation aims at promoting the good of 'all of us', made up of individuals, families and intermediate groups who together constitute society, which is becoming more and more multicultural. It is a good that is sought not for its own sake, but for the people who belong to the social community (in this case, the border zone) and who can only really and effectively pursue their good within it. However, how this 'ethical' cohesion for the 'common good' can effectively be achieved on the ground remains very nebulous within official EU documentation.

The same can be traced from a reading of the 'Charter of the Association of Southeast Asian Nations' (2008). It is worth to mention that the Charter Preamble opens with the words: 'We, the Peoples (...)'. It therefore seems that the Charter assumes a humanistic approach to values, where 'the peoples' are simultaneously 'agents' and 'recipients' of political, economic and social actions. The document clearly states that its aim is not only to create lasting peace, security and stability, sustained economic growth, shared prosperity and social progress, but also vital interests, ideals and aspirations of the 'peoples'.

As well as the Lisbon Treaty, the main pillars cited by the Charter are 'principles of democracy, the rule of law, and good governance, respect for and protection of human rights and fundamental freedoms (...) to ensure sustainable development for the benefit of present and future generations and to place the well-being, livelihood and welfare of the peoples at the centre of the ASEAN community building process' (Charter 2008). This is done since the main goal that ASEAN wants to achieve is to 'strengthen existing bonds of regional *solidarity* to realize an ASEAN Community that is politically cohesive, economically integrated and socially responsible in order to effectively respond to current and future challenges and opportunities' (Charter 2008).

At present, ASEAN still lacks a formalized and institutionalized cooperation system. Although it supports the implementation and further development of growth areas, the Asian Development Bank (ADB), created within the United Nation system and not by ASEAN, both technically and financially supports sub-regional cooperation. Since the 1980s a new kind of 'micro-regionalism', which has been characterized by a process of growing regional interconnectedness that occurs below the national level and cuts across national borders, has started developing in ASEAN. This form of micro-

<sup>1</sup> The major three sub-regional initiatives in the ASEAN region include the Greater Mekong Sub-region (GMS), consisting of Cambodia, Lao PDR, Myanmar, Thailand, Vietnam, and China established in 1992; the Brunei Darussalam, Indonesia, Malaysia, and the Philippines-East ASEAN Growth Area (BIMP-EAGA) established in 1994; and the Indonesia, Malaysia and Thailand-Growth Triangle (IMT-GT) established in 1994. These sub-regional initiatives complement ASEAN cooperation and are primarily supported by the Asian Development Bank (ADB) with its funding and coordinating role.

regionalism has taken the form of growth triangles and sub-regional economic zones that have proliferated especially since the 1980s as political entities<sup>1</sup>. These sub-regional economic areas are at once unique and alien to the ASEAN framework since they transcend national boundaries.

The important role played by these sub-regional initiatives in addressing development and connectivity gaps as well as building democracy by reaching local communities and local governments beyond ASEAN capital cities has been formally recognized in the ASEAN Masterplan Connectivity (AMC 2011). This kind of activities is going to have a clear impact on people's mobility. The AMC is based on the aim to boost regional and people-to-people connectivity by supporting economic development that transcends borders. Indeed, as Mr Boidin stated, 'borders, barriers that we observe in any regional grouping *hinder human and economic development* (...) What is strong about the connectivity concept advocated by ASEAN is that it draws attention to the core of the integration agenda' (emphasis has been added; intervention at the Friends of Europe Conference 2014). It is interesting to note that Mr Boidin voices ASEAN expectations of an 'integral' development that importantly includes 'human development' as a core dimension. Thus, again it is stressed how a 'humanistic vision' of trans-border cooperation is highly important for the development of the whole ASEAN Region.

However, it is worth mentioning that although both the EU and ASEAN recognize the importance of 'ethics' in trans-border cooperation and the need to focus on people's dignity, at present sub-regional cooperation activities are hindered by several similar elements which are linked to 'ethical' issues. Just to name a few: a lack of transparency and consistency in the application of rules, poor cooperation (creating wasteful competition and duplication), poor environmental management, a lack of bottom-up dynamic participation, the lack of a clear view of overall objectives related to sub-regional cooperation activities, the lack of a common agenda in order to tackle workers' mobility, and finally the lack of an effective implementation of the principle of 'learning by doing'.

However, neither ASEAN, the Asian Development Bank (ADB) nor the EU explicitly mention in their official documentation the relation that links sub-regional cooperation activities to ethics. Indeed, although both the Charter and the Lisbon Treaty suggest that markets cannot be disentangled from ethics and ethical values since they are constituent part of economic activities, at stake is the way ethical meanings change from transnational arenas to the domestic and local economic, social and political arena.

Put in another way, neither the EU nor ASEAN has elaborated a 'trans-border' ethical set of ethical rules and values that would bind the actors actively involved in sub-



regional border cooperation activities that would focus on and boost a 'humanistic' approach to development in sub-regional border areas. It is suggested here that the reason behind that is due to the fact that sub-regional cooperation activities are perceived mainly in the most useful and practical sense. Neither the EU nor ASEAN formally and systematically aspires to and supports higher interests. Consequently, cross-border activities still do not effectively respond to more noble and demanding motivations for achieving the common good.

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# Internal Migration in China: Breaking Down Social Segregation?

## Manjiao Chi

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**Manjiao Chi LL M** is Professor of International Law at Xiamen University in the People's Republic of China. His time as Senior Fellow at the Centre was spent on research into 'China's Legal Culture and Its Participation in Global Governance'. This focused chiefly on China's participation in international law-making and dispute settlement, with particular reference to international trade and investment. Chinese legal culture was considered from the standpoint of its key features: prioritization of state over individual rights; preference for non-confrontational dispute-settlement; and adherence to the principle of state sovereignty.

Internal immigration in China can be roughly classified into three forms: the immigration of Han ethnics to ethnic minority regions, especially Xinjiang Uyghur Autonomous Region, since the establishment of the People's Republic of China, which is mainly prompted by political decisions; the immigration of rural residents to urban areas in recent decades, which is driven chiefly by economic considerations; and the immigration of Mainland citizens to Hong Kong since 1997, which is similar to immigration to a foreign country due to China's 'One Country, Two Systems' policy enacted in Hong Kong.

To properly understand internal migration within China, a good understanding of China's *Huji* system, also known as *Hukou* or the household certificate system, is indispensable. This system dates back to ancient times and influences almost every aspect of an individual's life in China, such as movement, medical care, education and employment. In essence, this system is an effective social control tool. By fixing a person in a certain place (usually the place of birth) and denying his/her right to free movement, it enables the State to control its citizens for tax collection, crime prevention, military motivation and other social control purposes. What makes this system so special is that it divides citizens into urban and rural residents by their family backgrounds and subjects them to different social governance regimes with different rights and obligations. In general, urban residents enjoy better social welfare than their rural counterparts. The *Huji* system not only creates profound inequality among Chinese citizens, but also creates and consolidates the social segregation in China.

Since the 1990s, China started to build a 'socialist market economy', which necessitated free movement of individuals across the country. Millions of rural citizens, known as 'migrant workers', moved to big cities to seek employment for a better life. In the following years, many laid-off workers and residents of towns and small cities who lost their farmlands as a result of China's aggressive urbanization become internal immigrants. The migration is still ongoing as a result of China's unbalanced regional development.

The nationwide internal migration raises an unprecedented challenge to the Huji system and profoundly impacts the social segregation in China. A typical example is the tragic case of Sun Zhigang. In 2003, Sun, a university graduate from China's inland Hubei Province, went to Guangzhou, the capital city of the rich coastal Guangdong Province, for the purpose of job hunting. He was detained by the Guangzhou authority, pursuant to the *Administrative Measures for Relief for Vagrants and Beggars in Cities* ('Measures'), because he had no residence permit of the city. Sun was later found dead from severe beating in a hospital associated with the detention centre. The tragedy shocked the country and generated unprecedented social pressure, especially from China's legal community. Finally, the offenders were sentenced to death or imprisoned, and the State Council also abolished the notorious Measures.

Such development, though positive, failed to put the Huji system to an end. Recently, the 'new immigrants' issue has come to the spotlight. The term 'new immigrants' refers to children of migrating families that are born and grow up in cities without urban resident status. They live in cities, but do not have equal rights to urban residents and are subject to *de facto* discrimination. For instance, from 2005, Beijing began to shut down 'low quality' primary schools, most of which were set up to provide affordable education to 'new immigrants' in Beijing. Closing these schools would mean that these children would have to leave Beijing to their underdeveloped hometowns for education.

Many 'new immigrants' today see the world and society differently from their obedient parents. To them, success is more the result of one's family support than the achievement of one's efforts. They openly object to the Huji system, the discriminatory treatment and the social segregation, especially the denial of access to quality education and medical care. This helps to transform internal immigration from a narrow discourse of 'getting rich' to a broader one of fighting for equal rights and breaking down social segregation.

Internal migration in China is a snapshot of the high tension between China's rigid control over its people via the Huji system and Chinese citizens' freedom of movement. Despite China's rapid economic development, internal migration often means a journey full of sad stories of human rights abuses.

However, as China has no constitutional court, it is almost impossible for Chinese citizens to challenge the Hukou system. As freedom of expression is also limited in China, many existing and potential victims of this system will have to live, or to die, without being heard.

Internal migration has both economic and human rights dimensions. China appears more comfortable in accepting its economic dimension. In light of China's recent economic slowdown and the aging of the society, it makes sense for China to grant more freedom of movement to its citizens in order to release more labour resources for the marketplace to help boost its economy. However, China still feels uneasy in accepting the human rights dimension of internal migration, though it is almost globally recognized that citizens should have freedom of movement within the territory of their country. Up to the present, China's Constitution still lacks express provision recognizing citizens' freedom of movement, while many laws and regulations that unnecessarily limit such freedom are still in effect.

China announced in 2014 that it would further reform its Hukou system, with the main purpose being to accelerate the ongoing urbanization process and to improve the social welfare of citizens. This could be a good starting point to correct its past wrongs. However, no major measures have been adopted up to the present. It remains to be seen whether and to what extent such reform could truly enhance Chinese citizens' freedom of movement and how it would impact the existing social segregation in China.

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# XI Experts

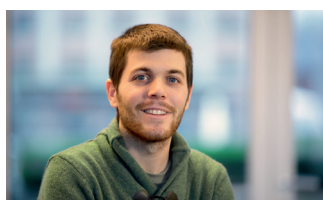
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# Migratory Experts: Where Have They Gone?

## Pol Bargués-Pedreny<sup>1</sup>

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**Pol Bargués-Pedreny** is currently a researcher at the University of Duisburg's Institute for Development and Peace. The theme of the research project which he conducted during his time as a Postdoc Fellow at the Centre was 'Pragmatic Peacebuilding: Engaging with the Micro-politics of the Everyday to Cultivate Inter-Ethnic Cooperation'. The project explored the ongoing transformation of peacebuilding at different levels, from top-down 'liberal peacebuilding' to pragmatic approaches that engage with the micro-politics of the everyday – with the aim, for example, of cultivating inter-ethnic cooperation.

Today, international experts or peacebuilders working in and for post-war countries know very little, but do every little thing – lock, stock and barrel. They organize meetings, read the local press, collect data, allocate funding, respond to emails, stop for coffee breaks and complain about the weather. Quite literally, they do what they have been doing for the past decade in order to facilitate peacebuilding. Yet our understanding of expertise is radically evolving: experts are no longer the cold-hearted people who knew more than the rest about negotiations and conflict resolutions, nor the ones who reflected upon the complexities of everyday settings and knew how to engage sensitively with indigenous cultures. Present-day experts have recognized how utterly overwhelming post-conflict processes may be for them. Nevertheless, despite admitting how difficult it is to advise, to lead, to predict or to understand, they continue with their unlimited duties. It is amidst the struggle between impossibility and hope that experts are recovering their value and finding their new role. This short piece aims to reflect on this shift to highlight that we may be taking a worrying turning. In order to do so, three types of expertise are allegorically distinguished: the classic expert of former times, the ethical expert, and the coming expert (see further Collins and Evans 2002).

After the end of the Cold War, free from the pressures of a geopolitically divided world, international peace practitioners started playing a central role in shaping the future of post-conflict societies. Born in Stockholm and studying his PhD in Oxford, the first type of expert migrated to a post-war country after years of experience in the UN Headquarters of New York. Knowledgeable of successful democratic processes

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<sup>1</sup> I would like to thank Albert Kuhn, Elisabet Portavella and Xavi Romero for their wise comments on a previous draft.

at home, abroad he had the power to convince. He was gifted with strategic wisdom. He counted on his clinical eye to detect flaws and propose solutions. He was not a governor, but helped elected politicians to design, plan and implement the best policies. One of his greatest attributes was his impartial position and distance from parochial discussions and emotional disputes. Like King Solomon, he could deliberate perspicaciously and dictate a daring verdict. Although he was an immigrant, he felt at home: people in post-war situations were not strangers. He could empathize with locals' anxieties and recognize their sorrows. There was mutual comprehension. He shared with them a common humanity, although they had been trapped in a negative spiral of violence and crisis (for a comprehensive example, see the memoirs of the US Middle East Envoy, Ross 2004).

However, this God-like expert of the end of the twentieth century suffered an existential crisis as soon as the international conjuncture changed after 9/11. His crisis, however, was not related to his knowledge about peacebuilding. For hardly anyone challenged the content of his ideas, his advice or his verdicts. Instead, he suffered because critiques were intended to undermine his condition of expert, his status: his image as a sagacious technician and infallible judge no longer held. Scientific knowledge came to be related to security burdens and political duties. Far from praising his accurate policy advice, everyone discovered and condemned his dirty hands. Internationally, he was criticized for thinking himself to be 'above' others or 'outside' disputes. On the ground, he encountered resistance from post-conflict populations who valued independence and moral autonomy. At the turn of the new millennium, borders mattered again. Abroad, the classic expert did not feel at home anymore.

In the middle of the crisis, the second expert intervened. Born in Dakar, raised in Paris, the ethical expert spoke five different languages fluently, knew performing arts, and had a MA in Law and Philosophy and a PhD in Cultural Studies. She migrated to a post-conflict country, having learnt from the mistakes of the experts of the past. She valued cultural exchanges and absorbed the local way of life, but she was conscious of her limitations. There was an unsurpassable abyss between her knowledge and the locals' language expressions, their stunning diversity and the depth of their cosmologies. At work, she was constantly aware of her positionality as an external agent. She was versed in complex conflict resolution practices, but she operated in the shadow. When she was at a meeting, she preferred listening to talking. She opted for helping through gentle gestures of support rather than taking up a commanding position. When making decisions, she was cautious, anticipating unintended consequences. She also had a deep respect for democratic outcomes, even when she

would have gone for a different direction. Working against the traditional definition of expert as a skilful scientist, the ethical expert aimed to become a paragon of democratic virtue and moral wisdom (e.g. Irwin 2006).

Yet this expert has also recently entered into crisis. Her vast self-reflexivity has sapped her confidence. Her shyness has constrained her oratory and her power to convince. She only knew that she did not know anything for certain. She was too thoughtful to resolve and she was paralyzed by indecision. When at times she freed herself from self-censorship and moved to make judgements and counsel local politicians, she was accused of reproducing the arrogance of classic experts. The international intelligentsia preferred to see her in the rear-guard, cultivating her reflexivity. More than one decade after the turn of the new millennia, the mixture of critiques and self-effacing demeanour has made her invisible. Her eyes are dim, her voice has faltered. The ethical expert is on the verge of disappearing.

Countering the previous two crises, a new expert stepped in. Born in Buenos Aires, she quickly started an international career, working for international organisations in seven different countries and obtaining a distance-learning doctorate in Science, Technology and Society. As an expert in a post-conflict zone, she accepts that she does not know much, but she feels that she is needed (e.g. Leander 2014). She is aware of the paradoxical nature of peace, of the inaccessibility of post-conflict societies, of the difficulties to give advice to indigenous people, of the impossibility to do justice, but keeps her head held high. Unlike the traditional expert, she does not believe that she knows more than the people; unlike the ethical expert, she does not feel bad about it. She feels at home muddling through the chaos of post-conflict processes. She cannot anticipate, but she still plans. She does not believe in regularities, but she collects data. She does not speak all their languages, but she makes phone calls and keeps conversations alive. After many years of experience, she claims to have understood what it is to be an expert in practice: another object thrown into a whirlwind.

When everyone had buried the classical and ethical experts, an ignorant expert appears radiant, full of energy, full of hope. She no longer agonizes enmeshed in the darkness, labyrinthine nature and non-humanity of post-war situations. The intelligentsia is also satisfied with the little the expert knows, with the little she can do. Do you see why this shift is worrying? True, all peacebuilders have had their weaknesses. But the development has finally swept away all the knowledge, freedom, determination and tragic soul of the classic peacebuilder. It could be therefore that the feeling of hope of the present-day expert is a petty solace of a person who has lost everything. It could be that she is a fallen



hero who now enjoys being vulgar. It could be that her new condition is abominably anti-progressive, anti-peaceful, and anti-humanist. Or maybe not. Who knows?

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# The Imperial Migrant

## Martina Kopf

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**Martina Kopf** is Senior Lecturer in African Literatures at the Department of African Studies, University of Vienna. As a Fellow at the Centre, Kopf conducted research on the theme 'Developing Africa in Colonial and Postcolonial Imaginations'. This study approached the history of 'development' in East Africa via the narratives and stories connected with it. This involved exploration of literature and film and an examination of the ways in which popular worlds of storytelling interact with institutional discourses on development.

In 1923 Germaine le Goff, a French teacher, left her country of origin for West Africa. She took a teaching post in Djenné, a small town in today's Mali, at that time formally part of the French colonial empire. Le Goff was then a young woman with a secular, anticlerical attitude. Applying for a post in the colonial service she wanted to escape the power of the Catholic Church and in particular the local priest in her home town in the Bretagne, whose regime she experienced as unbearably restrictive in her work at school. In West Africa she made a career as a teacher and head of the first teacher training institution for women in Senegal, the *Ecole Normale d'Institutrices* in Rufisque, a prestigious institution of higher education which she directed from 1938 to 1945.<sup>1</sup>

Le Goff's story is but one small part of a larger history of migration from Europe to Africa that took advantage of the networks and structures created by colonial rule and later by development cooperation. Historians have described the 1920s and 1930s in colonial Africa as a period of transition from predatory to developmentalist colonialism. It was the period when 'development' started to become the central organizing concept underpinning European-African relations and defining Africa's place in global relations of power. Practices such as development aid and development planning have their roots in the imperial politics of the interwar period, in the colonial doctrines of the major colonial powers Great Britain and France and in the mandate system of the League of Nations. One of the continuities from colonial to post-colonial development politics is a particular kind of labour migration from Europe to Africa that has seldom been declared as such. The colonial servant and the missionary, however, are not only symbolically forerunners of the development expert and the NGO worker today. So, for instance, after the formal independence of the African nations, staff moved from colonial administration to the newly created organizations and institutions of post-

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<sup>1</sup> Freland, François-Xavier (2004). *L'Africaine blanche: Germaine Le Goff, éducatrice mythique: 1891–1986*, Paris: Autrement.

<sup>2</sup> Kopf, Martina (2014). 'Developing Africa in the Colonial Imagination: European and African Narrative Writing of the Interwar Period', in Joseph M. Hodge, Gerald Hödl, and Martina Kopf (eds.), *Developing Africa: Concepts and Practices in Twentieth-Century Colonialism*, Manchester: Manchester University Press, 341–66.

colonial development cooperation. Exploring development discourses in biographical and fictional writing of colonial servants, missionaries, teachers and medical staff of the British and French empire of the interwar period I met a personal profile that was in many aspects close to Europeans working in the field of development cooperation today.<sup>2</sup> There were resemblances in motives, interests, biographies. Just like development cooperation today imperial governance assembled individuals, organizations and institutions with very different desires, motives and objectives. And it provided a space of mobility and movement for men and women who joined the colonial service in order to gather professional experience and practice in Africa to get out of Europe, to get to know foreign countries and cultures, or to find their personal adventure.

Today migration and development have become a major issue in African-European relations. The European Union has started to acknowledge the contribution of migrants to the national economies of their countries of origin, while migrant organizations in European countries like France or the Netherlands have gained a certain agency in development cooperation. Migration from Africa to Europe in the past decade has become an issue of overriding concern, and continues to get abundant attention from governments, civil society organizations, media, art and the academia on both continents. In all these discourses migration between Africa and Europe is generally seen as a movement into one direction only. The migrant, it seems, is always the other. Europeans did not 'migrate' to Africa. They went as 'servants' and 'missionaries', as 'experts' and 'expats'.

What were Germaine le Goff and the thousands of young men and women, who took the colonial service or the Christian missionary societies as a chance to escape the narrowness of their lives in France or Great Britain? What is the Austrian volunteer today who joins a volunteering program because he wants to give his life a different direction? What is the Swedish expert who coordinates a EuropeAid project in Dakar and applied for a job in the international aid business in order to fulfil her desire to live abroad? What makes an individual a 'migrant'? Can we compare these different cases of mobility? Can we compare the young student from Burkina Faso who leaves his country of origin in search of better opportunities with the German development worker who crosses the Mediterranean in the opposite direction?

Looking at these phenomena on a macrolevel, the structural differences prevail. The 'imperial migrant' of the colonial empire and the 'development migrant' of post-colonial development cooperation move within their national economies, within the financial systems of the international development industry respectively. They travel with an

economic and – with regard to the imperial era – with a military power behind them that the post-colonial migrant who crosses the Mediterranean ‘illegally’ cannot claim for herself. If we look at these different kinds of mobility from the perspective of individual biographies and motives, however, the European and the African migrant share common grounds. Migratory biographies are made up of a mixture of desire and need. The proportion of these two components varies from case to case. The amount of need is higher in cases of persecution and war in the countries of origin, and the proportion of desire may be higher in social and economic backgrounds of relative security. While we can find a great deal of similarities in individual motives and biographies, the economic and political structures and frameworks make of these migrations distinct and incomparable phenomena, separated by terminology, ideology and frameworks and thus distorting the common ground. This common ground, however, could be the beginning of a different kind of communication. In Leila Aboulela’s short story *The Museum* (1999) a Sudanese student in Edinburgh visits the local Africa museum together with her fellow student, a young white Scottish man. The exhibited objects and documents tell a story of Scottish presence in Africa during the age of the British Empire. While the Sudanese woman reads the exhibition as a story of misrepresentation and humiliation, her fellow student reads it as a story of desire and escape. Their different readings notwithstanding, they both know of the desire and the necessity to leave: “‘They went to benefit themselves,” she said, “people go away because they benefit in some way.””<sup>3</sup>

<sup>3</sup> Aboulela, Leila (1999). ‘The Museum’, in Yvonne Vera (ed.), *Opening Spaces: An Anthology of Contemporary African Women’s Writing*, Oxford et al.: Heinemann; Baobab Books, 70–90.

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# Migrating Bodies and Spirits: An Essay in Honour of Giulio Regeni

## Shirin Saeidi

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Shirin Saeidi obtained a MA in political science from George Mason University, Virginia. These were followed by Ph.D. studies at Cambridge University, her doctoral thesis being entitled 'Hero of Her Own Story: Gender and State Formation in Contemporary Iran'. After three years of field-work in Iran, Dr Saeidi took up a Postdoctoral Fellowship at the Centre, during which she conducted research on the theme 'Insurgent Citizens: Democratization and the Hizbollah Movement in Iran'. A key area of interest for Dr Saeidi is state formation and citizenship in the Middle East, notably in post-1979 Iran.

Following the disappearance, torture and death of Giulio Regeni, the Italian PhD student conducting fieldwork for his doctoral thesis on informal labour movements in Cairo, outrage was expressed by the international academic community. I have carried out hundreds of interviews with survivors of political violence, including my uncles, and families who have lost loved ones to war, such as my in-laws. Yet the individuality of each of these narratives never gets lost in the collective experiences that they share. In other words, although I know about other human rights violations, it does not make this one any less shocking.

My difficulty in living with the memories of people who have experienced various forms of political violence, whether incarceration, wars, occupation or torture, has made me less attentive to the news in recent years. These narratives unsettle me in a way that is disruptive to the lives of those around me. But I could not escape the news of the final harrowing hours of Giulio's life. Continuously new revelations about his death were shared between friends and colleagues. The latest reports on Giulio's autopsy state that he remained alive for nine days after his disappearance on January 25, 2016.<sup>1</sup> He was tortured throughout these days, and was later found dead by the side of the road.

It is not only the media coverage of Giulio's body and the ways in which it was violated, but also its movement through different spaces before those nine days, that unsettles me. I continually have images in my mind of him walking down the street in Cambridge. I do not know why, but I do.

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<sup>1</sup> LeVine, Mark (2016). 'An Italian student's death in Egypt and now we care?', *Aljazeera*, 15 February, <http://www.aljazeera.com/indepth/opinion/2016/02/giulio-regeni-egypt-calculus-interests-160215073847559.html>, accessed 17 February 2016.

His body moving down those narrow sidewalks pops in and out of my mind throughout the day. I envision his first weeks in Cairo, and remember how, during my own 2011 visit to Egypt, the Egyptian people made me feel like a member of their nation simply because I stood in solidarity with them. I think about how quickly Giulio's body must have felt at home when he first entered the field. His conversations in Cairo were going so well in fact that he decided not to return to Cambridge in January for a course he was to supervise on the Middle East. He decided to take up that teaching opportunity in March instead. When I wake at around 4 a.m. to feed my 11-month-old daughter, Nur, I think about Giulio's body enduring torture for nine days. As a mother, I am privileged to know the indescribable physical connection that exists between parent and child. Just the thought that my daughter might be cold or hungry makes me frantic. As far as I know, there is no word in the English language that describes the state of a parent who has lost a child. How are Giulio's parents living with this separation of bodies? I end these thoughts with a desperate wish that Giulio's body was back and that all of this had never happened.

When I consider the physical aspects of this story, immediately I think the following: how could we have prevented this? How can we prevent this from happening again? Maybe if we had discussed fieldwork in authoritarian regimes more often in academia this would not have happened? Perhaps PhD students should not be permitted to carry out fieldwork in difficult contexts? By stressing the boundaries that may come with a particular project, such as no interviews with the media, no activist work, no serious engagement with oppositional movements, can we better protect our students and colleagues? Then I remember that neither I nor most of my colleagues abide by these 'golden rules' for field research.

The reality is that Giulio was not naive or inexperienced. He had a BA in Arabic and politics from Leeds University in the UK. He worked for the United Nations Industrial Development Organization in Cairo after finishing his 2011 Master's Degree in Development Studies, also at Cambridge. This information, found on the Cambridge University website, suggests that Giulio was more informed than most people about the dangers that came with research in Egypt. Giulio refined his interests slowly and with well thought-out questions that evolved through experience and scholarly work.

He is remembered by a colleague at Cambridge as someone who was open to new ideas, but was also motivated by a sense of justice. How we do research is not separate from how we choose to live. Giulio lived in a way that left open the possibility of creating another world. His death destabilizes dichotomies between the body and spirit. If we pay attention, instead of encouraging more procedure, caution, boundaries

and indoctrination, his death casts doubt on such safeguards.  
Giulio, as we say in Farsi, *ruhet shad*—joy be upon your spirit.







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